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DEPARTMENT OF THE INTERIOR
AND RELATED AGENCIES APPROPRIATIONS ACT, 1996

The Committee resumed its sitting.

Mr. HAYWORTH. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, as I look around this Chamber and as I think about the promises in January, the notion was to come here and to end business as usual, and that is in fact the intent of many of us in this Congress. Ofttimes it involves reaching across the aisle, listening to different arguments, and basing our support or our opposition not on previous partisan labels, but taking a look and carefully examining the problems one by one. That is why I am pleased to stand in strong support of this amendment.

Mr. Chairman, I represent a large portion of the Navajo Nation, that sovereign nation within the Sixth District of Arizona and reaching beyond the borders of Arizona to several other States. I am mindful of the fact that in our treaty obligations to the Navajo Nation, we have a variety of promises that were made well over a century ago.

Now, I stand here in support of this amendment not to criticize my friends on this side of the aisle, who believe we can look for other sources of funding, but, instead, to underline the importance of upholding these treaty obligations and looking to educate the children of the native American tribes, for it is a sacred obligation we have, and it is a proper role of the Federal Government to move in that regard.

So, for that reason, again, I stand in strong support of the amendment.

Mrs. CLAYTON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment offered by the gentlemen from New Mexico and Wisconsin and myself. I want to make the distinction that while we are asking our colleagues to reexamine and recommit to restoring the \$81 million for the Indian education program, I want us to understand that this is not duplicative of the program that is already there. This really has a distinct value in and above that, and it is supplementary and not duplicative. It means these are programs going to public schools to enable 92 percent of all Indians who live in this country to get additional supplemental education. It is an opportunity to make sure that those young people, who are falling through the cracks academically, have an opportunity to be competitive and do well.

Further, Mr. Chairman, I would think our colleagues would find it unacceptable that \$81 million would get in the way of doing what we should be doing for the very first inhabitants of this country. Further, I think we would want to support education as being consistent with self-sufficiency. I see

all of these reasons and others as to why we should want to restore this to its full amount, and not reduce it to a lesser amount than it is presently. Really, it should be increased. In the spirit of keeping the budget constraints, we are saying restore it to the \$81 million.

So it really is a thoughtful amendment that recognizes under the constraints that all programs have to adjust. I would ask that my colleagues across both sides of the aisle understand, this is an opportunity really that we can say to the native Americans, that we do care about them, and that education is important.

Ms. FURSE. Mr. Chairman, will the gentlewoman yield?

Mrs. CLAYTON. I yield to the gentlewoman from Oregon.

Ms. FURSE. Mr. Chairman, I thank the gentlewoman for yielding.

I rise in very strong support of this amendment. I think unfortunately we know very little about the whole issue of treaty keeping, and I want to congratulate my Republican colleague from Arizona, who understands that we have a sacred trust responsibility to keep treaties. These education funds are just a tiny little downpayment, shall we say, on the land that we enjoy, which we have in our trust because the Indian tribes signed treaties many years ago.

My colleague from North Carolina mentioned that 92 percent of Indian children are affected by this funding, and that is absolutely true. We are told it is duplicative, but in fact the Bureau of Indian Affairs schools do not meet more than 8 percent of the Indian children's educational needs.

We can indeed, and my colleague has spoken of that, change the poverty that has so impacted native Americans by making sure that we live up to our responsibility, our treaty responsibility, a treaty which we swore to uphold when we became Members of this body. We cannot abandon these native American children; we cannot abandon this opportunity.

Mr. Chairman, I support this amendment, and I congratulate the gentlewoman and her colleagues for having brought this amendment forward.

Mr. FATTAH. Mr. Chairman, will the gentlewoman yield?

Mrs. CLAYTON. I yield to the gentleman from Pennsylvania.

Mr. FATTAH. Mr. Chairman, let me associate myself with the remarks of my colleagues on both sides of the aisle in favor of this very important amendment. I think that this legislation, absent the Obey amendment, would be morally bankrupt and fatally deficient for this Congress to pass. We have an absolute commitment, and we should always remind ourselves that no matter how expensive we may perceive education to be, ignorance costs more.

I come from the city of Philadelphia in Pennsylvania, and I just know that my constituents support fully this country's continuing commitment to

Indian education. I hope that we would favorably approve the Obey amendment.

Mr. MILLER of California. Mr. Chairman, will the gentlewoman yield?

Mrs. CLAYTON. I yield to the gentleman from California.

Mr. MILLER of California. Mr. Chairman, I want to commend the gentlewoman for offering this amendment to keep our commitment and our trust obligations, and to thank her and her colleagues, Mr. OBEY and Mr. RICHARDSON, for this amendment. I rise in support of it and hope the House will pass this amendment.

Mrs. CLAYTON. Mr. Chairman, reclaiming my time, this is an opportunity. Education is important. More important, it is an opportunity to say the American Indian children are important and they should be included in our commitment to all Americans.

Mr. REGULA. Mr. Chairman, I ask unanimous consent that all debate on this amendment and any amendments thereto close in 10 minutes, and that the time be equally divided.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The CHAIRMAN. The gentleman from Illinois [Mr. YATES] will manage 5 minutes, and the gentleman from Ohio [Mr. REGULA] will manage 5 minutes.

Mr. YATES. Mr. Chairman, I yield 5 minutes to the gentleman from American Samoa [Mr. FALEOMAVAEGA].

Mr. FALEOMAVAEGA. Mr. Chairman, as the ranking member of the Subcommittee on Native Americans and Insular Affairs of the Committee on Resources, I want to express my strong support of the amendment offered by the gentleman from Wisconsin [Mr. OBEY], the ranking member of the House Committee on Appropriations. The amendment simply restores the badly needed funds for education of American Indians and Alaskan Native children in public schools.

Mr. Chairman, I submit this is a downright tragedy that the Congress of the United States would take away money from our American Indian children's future to fund other programs like timber sales management.

Mr. Chairman, I also want to make it clear that funding for title IX is not duplicative of BIA directed funding. Title IX funding is for children in public schools, while BIA funding is for Indian children in BIA or tribally operated schools.

Mr. Chairman, as so eloquently stated in a letter by my good friend from Alaska and chairman of the House Committee on Resources, why do we continue to pick on those who simply cannot defend themselves, the children?

Mr. Chairman, I urge my colleagues to support the Obey amendment and restore the funds needed for the education of American native and Alaskan Native children.

Mr. REGULA. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, let us make it clear what is going to happen here. We will have a vote on the Obey amendment. I urge my colleagues to vote no on the Obey amendment because it takes the money out of fossil energy research. We have already cut that 10 percent. It impacts heavily on States like Ohio, California, Indiana, Illinois, New York, places where we are doing research. It takes money out of the Bureau of Mines. We have already cut them back. We just leave them enough to close out. If we take any more money, they cannot even do that. It takes money out of the Naval Petroleum Reserves. We have already cut that 20 percent. This is a function that generates \$460 million a year in revenues.

I think that we need to foster energy security. We are not arguing about giving the money for the native American education programs. This gives about \$153 per child to schools to have enrichment programs for Indian children. We agree on both sides that this needs to be done. The question is where to get the money.

We are going to have a Coburn amendment that is in title II, so it cannot be done immediately, but the Coburn amendment will do essentially the same thing, except it takes the money out of Forest Service administrative expenses. Because of the spend-out rate we only need to take \$10 million from forest administration to provide the \$52 million in the Coburn amendment to provide for the Indian education.

I think it is important that we provide the funds for Indian education, but I think it is also very important that we use the financing mechanism provided in the Coburn amendment.

Mr. Chairman, I would urge my colleagues to vote no on the Obey amendment, recognizing that you will get an opportunity shortly to vote yes on the Coburn amendment to take care of the Indian education, but the source of funding would be far less serious in its impact on the policies of the United States.

Again, "no" on Obey, and very shortly when we get into title II, we will be able to vote for the Indian education with the Coburn amendment.

Mr. Chairman, I urge my colleagues to vote "no" on the Obey amendment that is coming up for a vote immediately, knowing that you can vote "yes" on the Coburn amendment to accomplish the same objective.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin [Mr. OBEY].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. MILLER of California. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 143, noes 282, not voting 9, as follows:

[Roll No. 501]

AYES—143

Abercrombie
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Beilenson
Bereuter
Berman
Bishop
Bonior
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Cardin
Clay
Clayton
Clyburn
Coburn
Coleman
Collins (IL)
Conyers
de la Garza
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Durbin
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Filner
Flake
Foglietta
Ford
Frank (MA)
Frost
Furse
Gejdenson

Gephardt
Gibbons
Gonzalez
Gutierrez
Harman
Hastings (FL)
Hayworth
Hinchev
Hoyer
Jacobs
Jefferson
Johnson (SD)
Johnson, E. B.
Johnston
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Klecza
Lantos
Levin
Lewis (GA)
Lofgren
Lowe
Luther
Maloney
Manton
Markey
Martinez
Matsui
McDermott
McKinney
McNulty
Meehan
Meeke
Menendez
Mfume
Miller (CA)
Mineta
Minge
Mink
Nadler
Neal
Oberstar
Obey
Olver
Ortiz

NOES—282

Allard
Archer
Army
Bachus
Baker (CA)
Baker (LA)
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bentsen
Bevill
Bilbray
Bilirakis
Billey
Blute
Boehlert
Boehner
Bonilla
Borski
Boucher
Brewster
Browder
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Chabot
Chambliss
Chapman
Chenoweth
Christensen
Chrysler
Clement
Clinger

Coble
Collins (GA)
Combest
Condit
Cooley
Costello
Cox
Coyne
Cramer
Crane
Crapo
Creameans
Cubin
Cunningham
Danner
Davis
Deal
DeLay
Diaz-Balart
Hamilton
Dickey
Doggett
Dooley
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Friza

Owens
Pallone
Pastor
Payne (NJ)
Pelosi
Peterson (MN)
Pomeroy
Rangel
Reed
Richardson
Rivers
Roemer
Rose
Roth
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schroeder
Schumer
Scott
Serrano
Skaggs
Slaughter
Spratt
Stark
Stokes
Studds
Stupak
Tejeda
Thompson
Thornton
Thurman
Torres
Towns
Tucker
Velazquez
Vento
Waters
Watt (NC)
Waxman
Williams
Woolsey
Wyden
Yates
Young (AK)

Kasich
Kelly
Kim
King
Kingston
Klink
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Lipinski
Livingston
LoBiondo
Longley
Lucas
Manzullo
Martini
Mascara
McCarthy
McCollum
McCrery
McDade
McHale
McHugh
McInnis
McIntosh
McKeon
Metcalf
Meyers
Mica
Miller (FL)
Molinari
Mollohan
Montgomery
Moorhead
Moran

Morella
Murtha
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Orton
Oxley
Packard
Parker
Paxon
Payne (VA)
Peterson (FL)
Petri
Pickett
Pombo
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Rahall
Ramstad
Regula
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster

Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stenholm
Stockman
Stump
Talent
Tanner
Tate
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Tiahrt
Torkildsen
Torrice
Trafiacant
Upton
Visclosky
Rahall
Volkmer
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Ward
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wilson
Wise
Wolf
Wynn
Young (FL)
Zeliff
Zimmer

NOT VOTING—9

Ackerman
Bono
Collins (MI)

Fields (TX)
Green
Hefner

Moakley
Reynolds
Tauzin

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The Clerk announced the following pair: On this vote:

Mr. Moakley for, with Mr. Bono against.

Messrs. DAVIS, FRELINGHUYSEN, VOLKMER, and HILLIARD changed their vote from "aye" to "no."

Mr. YOUNG of Alaska and Mr. BERMAN changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. GALLEGLY

Mr. GALLEGLY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. GALLEGLY: Page 34, line 24, strike "\$69,232,000" of which (1) \$65,705,000 shall be" and insert "\$52,405,000, to remain".

Page 34, line 25, strike "technical assistance" and all that follows through "controls, and" on line 1 of page 35.

Page 35, strike lines 11 and 12 and insert: "272); Provided".

Page 35, line 25, strike "funding;" and all that follows through line 23 on page 36 and insert "funding;".

Mr. GALLEGLY. Mr. Chairman, I am offering this amendment as the chairman of the Subcommittee on Native American and Insular Affairs.

I am also offering this amendment with the support of the ranking member, the delegate from American Samoa, Mr. FALEOMAVAEGA.

My amendment, quite simply, would cut \$16.8 million for funding of the obsolete Office of Territorial and International Affairs and its associated programs. The termination of this one Office will result in a 7-year savings of \$120 million.

In the previous Congress, a number of my colleagues joined me in cosponsoring legislation to abolish the office which formerly administered islands with appointed Governors and High Commissioners. This should have taken effect last October when the United Nations terminated the U.S. administered trusteeship.

Earlier this year, Secretary Babbitt formally signaled that it was time to turn the lights out at the OTIA.

As a result of this the Native American and Insular Affairs Subcommittee conducted an extensive review and held hearings to reexamine existing policies affecting these island areas and also concluded that now was the time to terminate this Office. Subsequently, the subcommittee as well as the full Resources Committee passed H.R. 1332 with overwhelming bipartisan support. We expect to bring this legislation to the House floor very soon.

Finally, during our hearings, Gov. Roy L. Schneider of the Virgin Islands testified that "abolishing the Office will save the Federal Government money and will not harm the territories."

The bottom line here, my colleagues, is that we have an opportunity to end a program which was begun when Alaska and Hawaii were territories and save the taxpayer \$17 million.

I want to express my appreciation to the chairman of the Interior Appropriations Subcommittee, my friend Mr. REGULA, for his willingness to work with me on this effort.

I urge my colleagues to support the amendment and to join in a substantive action to streamline the Federal Government, advance self-governance, and save taxpayer funds.

I urge passage of the amendment.

Mr. REGULA. Mr. Chairman, I move to strike the last word.

Mr. Chairman, the committee mark already poses a 22.5-percent reduction that is already in the bill for territorial programs. In addition, we have eliminated the Assistant Secretary for Territorial and International Affairs. The bill takes the first steps. These are additional steps being proposed by the gentleman from California [Mr. GALLEGLY].

I urge that we adopt the amendment. I think that the Territorial Office is an anachronism in this period. It saves a considerable amount of money. I think it would be an excellent amendment and an excellent thing for us to accept.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. REGULA. I yield to the gentleman from Illinois.

Mr. YATES. Mr. Chairman, there are a number of questions that require answers. For example, we are told that in eliminating the territories' administrative fund, the Secretary of the Interior continues to be responsible for nearly \$2 billion; the current Treasury balance is \$310 million; that the future funding mandatory is \$1,603,000,000. What happens to that money? Under his amendment, what would happen to that money? Can the gentleman answer my question, or can somebody on that side answer the question? The Secretary now has \$2 billion belonging to the territories, for which he is responsible. There is \$310 million in the current Treasury balance.

Mr. YATES. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to ask the proponent of this amendment, what happens to the almost \$2 billion which is now with the Secretary of the Interior, which he is holding in trust for the territories?

Mr. GALLEGLY. Mr. Chairman, will the gentleman yield?

Mr. YATES. I yield to the gentleman from California.

Mr. GALLEGLY. Mr. Chairman, I am happy to try to respond. We still have 25 people in the inspector general's office that are prepared to administer those funds. We no longer need the OTIA to continue to provide that service.

Mr. YATES. Mr. Chairman, do I understand the gentleman, then, to be saying that the administration of the territories will be moved to the inspector general's office?

Mr. GALLEGLY. Only for the purpose of auditing the funds.

Mr. YATES. Who will have the responsibility of supervising the territories, Mr. Chairman, until they have their freedom?

Mr. FALEOMAVAEGA. Mr. Chairman, will the gentleman yield?

Mr. YATES. I yield to the gentleman from American Samoa.

Mr. FALEOMAVAEGA. Mr. Chairman, if I may respond, what the Secretary of the Interior has done is terminated the Office of Assistant Secretary of Territorial and Insular Affairs. In doing so, he is placing part of the responsibility to his Assistant Secretary for Budget and Planning. Within the Office of Budget and Planning, I am told that under the Deputy Assistant Secretary and further down the line there, he is going to establish an office which is called the director that is supposed to be keeping an eye, at least on behalf of the Secretary, on whatever is left to do with the territories.

What we are trying to do here, if I might respond to the gentleman, the Secretary of Interior made an announcement based on our hearing that he was going to terminate the entire Office of Territorial Affairs. I assume that he is going to do it directly under the auspices of his office and assistants.

Mr. YATES. Mr. Chairman, I would say to the gentleman, however, I do

not know how this would correct that situation. In other words, what the gentleman has been saying is the Secretary of the Interior has just practically relieved himself of administering the territories.

Mr. GALLEGLY. If the gentleman will continue to yield, the only thing I would like to say is that we no longer have trust territories. What we do have are elected Governors, democratically elected Governors of these territories. We are absolutely convinced that the territories really should have the right, and we have the confidence that they have the ability to self-govern.

Mr. FALEOMAVAEGA. If the gentleman will continue to yield, to respond further to him, Mr. Chairman, the Federated States of Micronesia, the Republic of the Marshalls, and the Republic of Palau, are basically independent. Basically whatever funding Congress provides for them as part of the compact agreement is administered directly from the Secretary's office. I assume that it now falls in the responsibility of the Assistant Secretary of Planning and Budget.

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Mr. YATES. The gentleman from American Samoa has just said the Secretary of the Interior has moved responsibility for the Territories to the Office of Planning and Budget.

Mr. FALEOMAVAEGA. That is correct.

Mr. YATES. Do I understand that your amendment will move supervision of the Territories, such as remains, from the Office of Planning and Budget in the Secretary of the Interior to the Office of the Inspector General?

Mr. GALLEGLY. No, it does not, I say to the gentleman from Illinois [Mr. YATES].

Mr. YATES. Where does it go, then? If it is not to remain in the Office of Planning and Budget, who will have supervision?

Mr. GALLEGLY. If the gentleman would yield further, we are in a new era, I say to the gentleman from Illinois [Mr. YATES]. We no longer are operating the way we have for the last many years.

These Territories have elected Governors and legislators. They have the ability, and the time has come, as the Secretary has said, to allow them their own ability to self-govern. With the exception of the Northern Marianas, there is a Delegate to the House of Representatives, as is the case with the gentleman from American Samoa [Mr. FALEOMAVAEGA]. Every one of the Territories, with the exception of the Northern Marianas, has a Delegate in this body, and the Northern Marianas has a democratically elected governor.

Mr. YATES. I continue to be concerned about the administration of the funding. Even though they are now self-governing, what happens in the event that there is a significant financial loss?

Mr. GALLEGLY. As I said to the gentleman, they do have representation

here in this body in the form of Delegates and representation in the committee. I do not see that as a problem. The Secretary of the Interior himself says the time has come to turn out the lights, and I am using his quote.

Mr. FALEOMAVAEGA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise today in strong support of Congressman GALLEGLY's amendment to title I of H.R. 1977, the Interior appropriations bill.

Mr. Chairman, earlier this year, the Committee on Resources had approved by voice vote an authorization bill (H.R. 1332) which will, among other things, delete the position of Assistant Secretary for Territorial and International Affairs, terminate funding for the Commonwealth of the Northern Mariana Islands, terminate funding for four territorial assistance programs, provide multiyear funding for the territory of American Samoa, and add procedural improvements for the relocation of the people of Rongelap. H.R. 1332 will save the U.S. Government in excess of \$100 million over the next 7 years. Regrettably, the Appropriations Committee has chosen not to accept the approach adopted by the Resources Committee.

Earlier this year the Secretary of the Interior announced that he was going to close the Office of Territorial and International Affairs, within the Department of the Interior. Later, as the details became available, it became apparent that the administration wanted only to downgrade the office and reduce its size to approximately 25 people.

Given that the territory of American Samoa and the Commonwealth of the Northern Mariana Islands are the only territories in which OTIA is actively involved, and given the increased level of self-autonomy already provided to the territories, I submit that 25 people is much too large a staff for this office, and believe it should be terminated or cut substantially. While the four assistance programs contained in the President's budget and the appropriations bill have been useful in the past, the time has come to terminate these programs as well, and move forward in our relations with the territories.

Mr. Chairman, the Gallegly amendment is consistent with the budget resolution for fiscal year 1996 and consistent with the actions of the authorizing committee this year. In effect, the authorizing committee, and the full House are moving in one direction on these issues, while the Appropriations Committee is moving in another.

The Gallegly amendment cuts Federal spending, reduces Government bureaucracy, and moves the administration of the U.S. insular areas toward greater self-autonomy.

Chairman ELTON GALLEGLY and I have been working on an authorizing bill for the territories all year. Our approach has been approved by the Resources Committee, and will be a sig-

nificant change in insular policy for our Government. This change has been a long time in coming, but the time has come.

Mr. Chairman, Congress' move toward reduced Federal spending is causing significant pain throughout our Government. I am pleased that insular policy is one area in which the authorizing committee has achieved substantial bipartisan agreement. Insular policy is not an area followed closely by most of us, but those of us who work in the area see this as a positive change, and I urge my colleagues to support the Gallegly amendment and conform the appropriations bill to the budget resolution and the action of the authorizing committee.

The CHAIRMAN pro tempore (Mr. GOODLATTE). The question is on the amendment offered by the gentleman from California [Mr. GALLEGLY].

The amendment was agreed to.

AMENDMENT OFFERED BY MRS. VUCANOVICH

Mrs. VUCANOVICH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. VUCANOVICH: On page 33 line 17 strike "\$7,145,000" and in lieu thereof insert "\$75,145,000" and on line 18 strike "\$65,100,000" and insert in lieu thereof "\$73,100,000".

Mrs. VUCANOVICH (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Nevada?

There was no objection.

Mrs. VUCANOVICH. Mr. Chairman, this amendment restores \$8 million for the Pyramid Lake water rights settlement. Funds available from a previous amendment which reduced funding from the territorial assistance account is sufficient to offset this amendment.

This water rights settlement is very important to the constituents within my congressional district. The final payment for the Pyramid Lake settlement is due next year, at which time an agreement will be implemented to supply much-needed water to the Reno-Sparks area. It is my understanding that the committee intends to fully fund this program in time to consummate this important water rights agreement.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mrs. VUCANOVICH. I yield to the gentleman from Illinois.

Mr. YATES. Mr. Chairman, our side has no objection to this amendment.

Mrs. VUCANOVICH. I thank the gentleman.

Mr. REGULA. Mr. Chairman, will the gentleman yield?

Mrs. VUCANOVICH. I yield to the gentleman from Ohio.

Mr. REGULA. Mr. Chairman, we have no objection. This is an obligation of the U.S. Government. We have freed up the funds to do it because we are on a very tight budget. We are pleased that we are able to accept the amendment.

Mrs. VUCANOVICH. I thank the chairman very much. I urge the acceptance of the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Nevada [Mrs. VUCANOVICH].

The amendment was agreed to.

AMENDMENT, AS MODIFIED, OFFERED BY MR. MILLER OF CALIFORNIA

Mr. MILLER of California. Mr. Chairman, I offer an amendment, amendment No. 32 printed in the RECORD, and I ask unanimous consent that the amendment be modified as set forth in the amendment I have at the desk.

The CHAIRMAN. The Clerk will designate the amendment and report the modification.

The text of the amendment is as follows:

Amendment offered by Mr. MILLER of California: Page 5, line 15, strike "\$8,500,000" and insert "\$14,750,000".

Page 11, line 16, strike "\$14,100,000" and insert "\$67,300,000".

Page 17, line 21, strike "\$14,300,000" and insert "\$84,550,000".

Page 17, line 26, strike "\$1,500,000" and insert "\$3,240,000".

Page 47, line 23, strike "\$14,600,000" and insert "\$65,310,000".

Page 55, line 5, strike "\$384,504,000" and insert "\$200,854,000".

The Clerk read as follows:

Amendment, as modified, offered by Mr. MILLER of California: Page 5, line 15, strike "\$8,500,000" and insert "\$14,750,000".

Page 11, line 16, strike "\$14,100,000" and insert "\$67,300,000".

Page 17, line 21, strike "\$14,300,000" and insert "\$84,550,000".

Page 17, line 26, strike "\$1,500,000" and insert "\$3,240,000".

Page 17, after line 26, insert the following:

For expenses necessary to carry out the provisions of the Urban Park and Recreation Recovery Act of 1978 (16 U.S.C. 2501-2514), \$5,000,000.

Page 47, line 23, strike "\$14,600,000" and insert "\$65,310,000".

Page 55, line 5, strike "\$384,504,000" and insert "\$195,854,000".

Mr. MILLER of California (during the reading). Mr. Chairman, I ask unanimous consent that the amendment, as modified, be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

The CHAIRMAN. Without objection, the amendment is modified.

There was no objection.

Mr. MILLER of California. Mr. Chairman, this amendment should be supported by all Members who care about our national parks, national wildlife refuges, national forests and public lands. This is an amendment that should be supported by those who care about our parks and outdoor recreation opportunities in our urban areas. No doubt about it, this amendment directly benefits people in every congressional district in this country.

The land and water conservation fund is one of the most popular and successful programs that our government has run. Funded by a portion of

the oil and gas revenues generated from leasing Federal lands on the Outer Continental Shelf, the land and water conservation fund helps to meet the increasingly heavy demand for hunting, fishing, and recreation areas, protects outstanding resources, and preserves the Nation's natural and historical heritage.

In addition to Federal land acquisitions, the fund provides for direct grants to States for parks, open space and outdoor recreational facilities. Since 1965, over 37,000 State and local grants have been awarded, totaling \$3.2 billion. The States and localities have matched this amount dollar for dollar to acquire \$2.3 million acres of park land and open space and to develop more than 24,000 recreation sites.

In fiscal 1996 there will be \$11 billion in this trust fund, yet unappropriated for a lot of political reasons, but unfortunately the short fund, the recreational needs of this country.

My amendment would fund the Land and Water Conservation Program at the same levels that Congress appropriated in fiscal year 1995. In addition, my amendment provides for \$5 million to fund the Urban Parks and Recreation Recovery Program. The current bill provides no funding for this program.

My amendment would provide an increase of \$183 million over the \$51 million which is provided in the bill as reported by the Committee on Appropriations.

The increased funds for land and water conservation provided in this amendment are offset by a corresponding \$183 million reduction in the Department of Energy's fossil energy research and development fund.

It is true that the budget resolution which Congress has adopted calls for a 7-year freeze on Federal land acquisitions, but I would remind my colleagues that this House also had voted to abolish the Department of Energy, and yet the bill before us today would provide Department of Energy funding for fossil fuel research to the tune of \$384 million. It is my understanding that this research appropriation greatly in excess of the \$220 million level which the Committee on Science has authorized in H.R. 1816. By contrast, my amendment would bring the DOE spending within the Committee on Science limits by allowing \$195 million for DOE's fossil research programs.

This amendment presents a very real question of priorities. In my view, the national wildlife refuges, the national forests, the public lands and the urban park areas outweigh the need for the excessive and above the level the Committee on Science recommends for spending on DOE research for coal, oil and gas, research which can and should be done by those industries without these Federal subsidies.

Finally, Mr. Chairman, I think the amendment ought to be considered in the context of the debate on the Endangered Species Act and the private

property rights. Members recently have received a July 10 "Dear Colleague" on the recent "Sweet Home" Supreme Court decision on the Endangered Species Act. In that "Dear Colleague," the gentleman from Alaska, the chairman of our committee, and five other Members state that if we are to have wildlife refuges and sanctuaries, we should go back to the right way of obtaining them, buy them or pay them for the use of the land for refuges.

We will debate the merits of the Endangered Species Act at length when that legislation is reported to the floor. But what we must understand, that Members cannot continue to claim that they think the right way to provide for these lands is to pay for those private properties, which it is, and then not provide the money to do so when these lands are so important to helping our urban areas, our suburban areas and our rural areas meet the demands for recreation and for public space and to meet the needs of both endangered species and habitat.

The Land and Water Conservation Fund has a priority list of lands that include bear habitat within the Kodiak National Refuge, the Upper Mississippi River National Wildlife Refuge in Minnesota, Wisconsin, Iowa, and Illinois; preserve the natural water flow patterns for the critical Everglades National Park in Florida; to promote the outdoor recreation of the Appalachian National Scenic Trail in Connecticut, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, and New York; to protect the historical integrity of the Gettysburg National Military Park in Pennsylvania; to enhance the scenic and natural values of the Santa Monica Mountains National Recreation Area in Los Angeles, the important national forests of the greater Yellowstone area in Montana; to help protect the salmon streams and the national forests in Oregon and Washington; and to provide resources to those urban areas who are trying to reclaim the recreational opportunities for their youth in cities throughout the country that are trying to bring back the streets, a very successful program where again local government has sought to participate far in excess of the moneys that are available, and without these moneys they simply will not be able to take care of those urban resources and to fully fund the backlog of acquisition and problems that we have.

We have people who are inholders who want to get rid of their private lands, who want the Government to buy those lands. We have management problems created in some cases by those, but there is no money. This is the great backlog that we continue to discuss in this Congress where we continue to add to it. Hopefully we will not continue to add to it in the new Congress, but we ought to start getting rid of it out of fairness to those landholders and those people who are con-

cerned about the integrity of our natural resource system.

□ 1645

So those are the priorities. The Congress can choose, as this bill does, to force feed energy research in oil and gas and coal far beyond the recommendation of the Committee on Science, or we can take that excess force feeding of those moneys and apply them to very high-priority items throughout the entire country to protect and preserve the environment, to protect and preserve our national parks, to protect and preserve our national forests, and to expand and protect and preserve the recreational opportunities for our citizens in our inner cities and suburban communities and small towns across the country.

That is the choice that this amendment presents. It is neutrally funded. It costs no more money than to force feed this energy research. I would hope my colleagues would choose their local community that is requesting these funds. I would hope they would choose their local counties. I would hope they would choose their local States and the gems of the natural resource system of this country, the national parks, the national wilderness, and the national refuge system of the United States.

Mr. REGULA. Mr. Chairman, I move to strike the last word.

Mr. Chairman, so the Members understand the issue here clearly, this has an appeal, but let me say that the House-passed budget resolution that was adopted here some weeks ago, provided a 5-year moratorium on land acquisition, because when we buy land, we have to take care of it. If we buy land, it means more people, it means more of everything.

We are talking about trying to get to a balanced budget in this Nation in 7 years. We cannot get to a balanced budget by buying more than we can take care of. That is the reason the Committee on the Budget put a moratorium on land acquisition. This would scuttle that moratorium totally and go back to business as usual.

The statement was made that we are force feeding programs in energy research. Let me tell my colleagues again, we have cut back considerably, but we have contractual obligations. We have a number of projects in fossil energy research that have contracts with the private sector. The private sector is putting up anywhere from 50 to 75 percent of the money, which means that they believe that these will be successful.

I think it is a big mistake in terms of national policy to cut back any further on fossil energy research. We are going to downsize it. We are going to get down to the numbers of the authorizing committee, maybe not as quickly as they would but we are headed that way. But we have to recognize our contractual obligations. If we suddenly pull our part of it out, we are subject to lawsuits for failure to perform on contracts that we have made.

Let me also tell my colleagues that we did put in \$50 million in an emergency fund for land acquisition. We recognize that there may be parcels of land that become available that we should take advantage of. So, we do have a cushion in the bill, in spite of the fact that the Committee on the Budget and the budget we passed called for a moratorium on land acquisition. The use of that money for land acquisition is subject to the reprogramming, so it has to come back, in effect, to the appropriate committees.

The reason we reduced land acquisition was to fund operations. The money that might have otherwise been spent on land acquisition is put into the operations of the parks. We actually increased the operation money in the parks over 1995.

We want to keep the parks open. We want to keep the forests open. As I said at the outset, these are must-do's. We must keep the facilities available to the public and therefore we have flat-funded them and used that money for the operations that we normally would have put in land acquisition, because we have a responsible number on fossil energy research.

I think what we have done represents a balance. It represents the will of the House as reflected in the budget adopted here. It takes care of operations, and I do not think we ought to tamper with it. These are nice to do. It would be nice to go out and buy more land. It would be nice to fund the UPARR Program, but we cannot do it all when we have a 10-percent cut and we can look forward to more next year. We need to avoid doing things that have substantial downstream costs or otherwise we cannot leave as a legacy for future generations a strong economy that would be generated by a balanced budget.

Mrs. MINK of Hawaii. Mr. Chairman, will the gentleman yield?

Mr. REGULA. I yield to the gentlewoman from Hawaii.

Mrs. MINK of Hawaii. Mr. Chairman, on that point about not wanting to saddle the Federal Government with the maintenance cost for new acquisitions, I understand that motivation prompted the Committee on the Budget, of which I am a member, to put a freeze on the purchase.

But the fundamental principle of the land and water conservation fund, so far as I am acquainted with it, is that there are acquisitions made on a local level and that the maintenance and the care and the development of these lands are basically turned over to the counties and to the States for their assumption of that future responsibility. And all that the land and water conservation fund does is to provide the moneys for acquisition.

So, we are not transferring. By approving this amendment, we would not be transferring a future cost to the Federal Government; is that not true?

Mr. REGULA. Mr. Chairman, reclaiming my time, the gentlewoman from Hawaii is absolutely correct on

the UPARR portion, but that is a small part of this amendment. A great bulk of what the gentleman from California [Mr. MILLER] proposes to take out of fossil energy research is going to land acquisition on the national parks and other land management agencies. A very small part of what his amendment would delete would go to the mission that the gentlewoman from Hawaii [Mrs. MINK] has described.

For that much of it, the gentlewoman is correct. But to put over \$200 million in land acquisition, obviously, has to generate very substantial maintenance costs downstream for the U.S. Government and that is the reason the Committee on the Budget put a moratorium on additional land acquisition and we tried to respond to the House-passed budget.

(Mrs. MINK asked and was given permission to revise and extend her remarks.)

Mrs. MINK of Hawaii. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in very strong support of the amendment of the gentleman from California [Mr. MILLER], because I feel that the set aside that we so wisely did in putting aside these oil exploration funds into this land and water conservation fund was for the future use and acquisition of these lands, which are the precious acquisitions for the entire country. It is not for one particular State of locale; it is acquisitions that go to the total assets of the United States.

So I rise in very strong support of this amendment and I hope that the Members will agree and I yield to the offeror of this amendment, the gentleman from California [Mr. MILLER].

Mr. MILLER of California. Mr. Chairman, the gentlewoman from Hawaii [Mrs. MINK] raised the question, and the gentleman from Ohio [Mr. REGULA] raised the question, about maintenance costs. In many instances, the land that is in the backlog waiting to be acquired is held by private landowners in the middle of a national forest, on the edge of a national forest, or surrounded on two sides or three sides or four sides by a national forest.

These people want out. They are encumbered by the fact that the forest is there. The Forest Service or the Park Service or the Refuge Service would reduce their operational costs and administrative costs because of these in-holdings. These people in many cases have been standing in line for years after year after year. We have heard about them.

And this committee is struggling. I do not doubt what they try to do every year. This committee has struggled to try to meet that demand. The gentleman from Alaska [Mr. YOUNG] and I have sat in our committee and continued to make sure that they never whittle the backlog down. The fact is, the backlog exists. I think that with the new Congress, the backlog is about to not be added to, if I hear what is going

on in our committee correctly. But we owe it to those people who are waiting to have their lands purchased.

And there is money available, but there is not if we choose to use it in the Department of Energy fossil fuel research; again, which many of these companies can do on their own and have the availability to do.

It is a question of priorities. Let us understand that in many instances, this is about reducing administrative costs in Park Service units, in National Park Services, in wildlife refuge units. So, it is not all about that.

This would give, obviously, the Forest Service and the Committee on Appropriations the ability to set priorities, but let us get rid of some of this backlog. It is not fair to these people to just leave them hanging there as we have purchased all the land around them. I would hope that we would support the amendment.

Mrs. MINK of Hawaii. Mr. Chairman, if the gentleman would yield to a question from me, is not it true that this backlog that the gentleman speaks of are already acquisitions that the Congress has already acted upon to some extent? It is not as though we are coming in with a new acquisition, a new park idea or some new enhancement of our environment. These are items that have already been set down, but for a variety of reasons, the land and water conservation fund has not been tapped to do this purchase.

Mr. MILLER of California. Mr. Chairman, the gentlewoman is correct. Many of these properties are subject to congressional designation. Many these properties have a cloud on their title in one fashion or another because of what has taken place around them. And the question is do we start to whittle down that backlog?

Let us understand something here. There is \$11 billion in the land and water conservation fund and the agreement was with the American people that we would allow oil drilling off of the coast of this country and we would use those resources to add to the great resource base of this country for recreation and for public use.

That promise was never kept; not by any Congress, not by any administration. It is a little bit of the kind of fraud that we have sometimes around the highway trust fund or the airport trust fund. We put the money in there and we say this is going to go for airport safety or this is going to go for improved highways. But then somehow this Congress starts dipping their fingers into this trust fund or one administration or the other wants to make the budget deficit smaller than it does.

Who are the victims? The victims are the people who paid for the gasoline that expected better roads and safer roads. The victims are the people who bought an airline ticket and expected safer airlines. The victims are the people who agreed to have this oil explored

off their coast and said that the trade-off will be that we will create this trust fund.

We have been robbing this trust fund for years. Now all we are suggesting is that we authorize them to spend some of the \$11 billion. I do not think the Committee on Appropriations in the last few years has spent more than \$100 million out of the trust fund for acquisition.

That is how you get a backlog. You lie to the American people. You lie to the American people. All of these things that are on this list for acquisition are because Members of Congress thought they were terribly important and voted to pass them. We ought to keep faith with the American people, faith with the budget process, and vote for the Miller amendment. It is a hell of a good deal.

Mrs. MINK of Hawaii. Mr. Chairman, I rise in strong support of the Miller amendment to the Interior appropriations bill which would add \$184 million for land acquisitions for preservation of our natural resources.

The Miller amendment attempts to restore the land and water conservation fund [LWCF] to fiscal year 1995 levels, through decreases in fossil energy research to authorized levels set forth by the Science Committee. There is \$11.2 billion surplus in the Treasury for the LWCF. The Miller amendment appropriates a mere 2 percent of this surplus.

The LWCF has been essential to the conservation in perpetuity of lands for recreational use since 1965. Under LWCF, local communities and States have the opportunity, through the fund's 50/50 matching grants, to directly invest in parks and recreation in local areas. A modest Federal role in the LWCF provides States and local officials primary responsibility and flexibility for such land acquisition and development projects made possible by the fund.

The reduction in fiscal year 1996 appropriations out of the LWCF represents a serious threat to the promotion of America's national and historical heritage. My State acquired under LWCF Hakalau National Wildlife Refuge, the very first refuge for forest birds in the country and a vital part of Hawaii's battle against an endangered species crisis. Of the 128 bird species that originally nested in the Hawaiian Islands, 58 have disappeared and 32 are on the endangered species list.

Habitat for endangered waterbirds has been protected by the LWCF at the Kealia National Wildlife Refuge on the Island of Maui, which consists of 700 acres of wetlands.

The Fish and Wildlife Service, through the LWCF, has worked with a private landowner to secure the 164-acre James Campbell National Wildlife Refuge, which contains habitat supporting 35 species of birds making up the largest population of waterbirds in Hawaii.

The LWCF funded the Oahu Forest National Wildlife Refuge in the Koolau Mountain range, which is on its way to being the first actively managed habitat for Hawaiian endangered and indigenous tree snails, birds, bats, and plants.

The National Park Service has used the LWCF to augment Hawaii's two major national parks—Hawaii Volcanoes National Park on the Big Island and Haleakala National Park on the Island of Maui.

Since 1965, the LWCF has funded more than 37,000 projects with more than half of

these projects invested in urban and suburban areas. To keep the fund at the level in H.R. 1977 would be to rob countless communities across the Nation of the ability to continue developing projects for which substantial sums have been invested, good faith commitments have been put into place with willing landowners, and timetables have been congressionally authorized.

I urge my colleagues to cast their votes in favor of the Miller amendment to restore funding for land and water conservation fund acquisitions for purposes of conservation.

Mr. YOUNG of Alaska. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I reluctantly, but enthusiastically, rise in opposition to the amendment of the gentleman from California [Mr. MILLER]. Much of what the gentleman said is true, but let us keep in mind that these properties that we were supposed to be purchasing were set off limits by another Congress.

In fact, if we look at the GAO report, which I requested with the gentleman from California [Mr. POMBO], that was reported in 1995, we purchased in 1993, through the agencies, a little over 203,000 acres of land. The Forest Service purchased 72,000; the LM 27,000; the Fish and Wildlife, 82,000; the National Park Service, 22,000.

What we have done in the past, and I will respectfully say, we have now hopefully addressed that issue with a commission that will look at our parks. We hope to come forth with another recommendation that we do not constantly create these units without proper scientific research and input.

Mr. Chairman, I happen to agree that there is \$11 billion in the fund to buy these properties. We have not. We have used them. All administrations, including this one, have used these moneys to balance the budget, or other purposes than what they were collected for.

But more than that, we have stopped drilling off shore too. There is no drilling taking place in the United States, other than in the Mexican gulf. There is a little off of Alaska. There is none around the United States and I do not think anybody here is advocating that. None in Florida. I am not saying that.

What I am saying is that the gentleman from Ohio said that we did on this side, I am saying this for our Members, agreed to a budget target to balance it by a certain time.

So, Mr. Chairman, I am going to request, respectfully, we vote no on the gentleman's amendment, although much of his argument is correct as to how this has been misused. But I do believe if we want to reach that target, we should reject the amendment, support the chairman of the committee, and go forth with our business.

□ 1700

Ms. FURSE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong support of this amendment.

You know, over and over again we have heard Members of the 104th Con-

gress speaking very vocally, obviously very enthusiastically, in favor of protecting private property rights, and I do the same myself.

But we have heard them say if you want to protect endangered species living on private lands, then buy the land. In fact, I got this interesting dear colleague letter from people on both sides of the aisle really saying the same thing. Well, this House has passed legislation requiring that the Federal Government purchases property at a landowners' request if the Government impacts its value more than 50 percent. But here we are, we have this bill which is just gutting the very account that would allow us to acquire land.

So I would say to Members who are concerned about private property rights, I would say let us put our money where our mouths are. There are numerous examples of property owners ready, willing to sell their land to the Federal Government so that we can protect fish and wildlife.

In Oregon, we have landowners along the Siletz and Nestucca Rivers who want to sell some of this region's most productive wetlands in order to provide habitat for bald eagles, snowy white plovers, and at-risk of salmon. That is great. We have a willing seller, a willing buyer, we have a good idea.

Farther north on the Columbia River, the endangered Columbia white-tailed deer is a shining example where you have a good management plan, you can take the animal off the endangered species list. We need a little more land to make sure that that habitat is there.

We have willing sellers. We need the money in this account to do that. Now, land acquisition, it seems to me, is a most cooperative, nonintrusive way to protect both the endangered species and private property rights.

At a time when divisiveness has paralyzed many resources issues, land acquisition provides us with that win-win solution that we are all looking for.

It is hypocritical to claim that you want to preserve the rights of private landowners or that you want to prevent species train wrecks, and then turn around and cut the funding for the land acquisition. If you colleagues support private property rights, and if you support the prevention of extinction of species, you have a great opportunity here.

Vote "yes" on the Miller amendment. It is a win-win situation.

Mr. MICA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman and my colleagues, I rise in very strong support of the amendment by my colleague, the gentleman from California [Mr. MILLER].

I think it would be a very sad mistake for this new majority to miss an opportunity, and that opportunity is really to provide the preservation of some of our natural lands in this country.

You know, these bills that we are looking at provide, and this particular

legislation provides, opportunity to spend money on surveys and studies and administration. But, really, what do we leave the next generation?

I tell you that we cannot do anything that would be more lasting for the next generation than to invest this small amount of money on preservation of lands, many of them endangered, throughout the United States.

Let me speak from a personal standpoint. I and my family lived, and I grew up, in Miami, and I saw what happened to the Everglades there, how they became neglected and how we did not take the time to preserve that area.

I now have the opportunity to represent central Florida, a beautiful area that has natural bodies of water and hundreds of lakes, and that area is endangered. You know, we have the Ocala National Forest to the north. The State has preserved some land around the urban areas. This area is impacted by tremendous growth, and we have the opportunity to acquire some land in a Federal-State partnership, and that money is not available, and that is sad and that is tragic because the same thing I saw happen as I grew up as a young man now is taking hundreds of millions, billions, of dollars to restore the Everglades. And because we did not make the investment that we needed, we may never get another chance.

I have a photo of the area that I am talking about, the St. John's River, in my district, \$15 million from the State, \$15 million from the Federal. But we do not have a penny in this bill for land acquisition, and that is wrong, and it is wrong for this side of the aisle to reject this amendment. Because this should be a priority, and we will not get another chance to save these lands.

So I urge my colleagues to look at this. A lot of the things we say here will not make any difference, but something we do here will make a big difference, and that big difference is preserving this land and these natural preserves for the future.

We should be investing in that. I am one of the most fiscally conservative Members in the entire House of Representatives, according to voting records, so I come here speaking not to spend money idly, not to spend money on pork projects, but to spend and make an investment in the future so we can leave a legacy for our children.

So I strongly—I strongly advocate passage of this amendment.

I had an amendment in here just to add a few more dollars to this, and I commend the gentleman for adding the many more dollars that can be well spent and well expended in the national interest, in the public interest and in the interest of our children.

Mr. STUDDS. Mr. Chairman, will the gentleman yield?

Mr. MICA. I yield to the gentleman from Massachusetts.

Mr. STUDDS. Mr. Chairman, I want to commend the gentleman's state-

ment, and I say to him, he need not worry, as I am sure he knows, about putting his conservative credentials at risk. The proposition on behalf of which he speaks is the most profoundly conservative proposition that could possibly come before us. It is literally conservative. It is conservative; it is conserving those things of greatest value to us and future generations.

The gentleman speaks for the best heritage of his party. I hear Teddy Roosevelt and Gifford Pinchot in his voice, and I commend him.

Mr. MILLER of California. Mr. Chairman, will the gentleman yield?

Mr. MICA. I yield to the gentleman from California.

Mr. MILLER of California. I want to thank the gentleman for yielding.

His State is exactly the kind of State that needs this acquisition because they are going through an incredible transition to try to hold onto one of the world's great resources, and to do so, they need the cooperation of farmers and cities and private landowners and homebuilders and others, and they have worked out a State plan. They have tried to patch this together so that they can protect the Florida Keys, they can protect the Everglades, and they can protect the economy in the northern end of that ecosystem.

But they need help in land acquisition because people are willing to help but, as so many have said on both sides of the aisle, they want to be paid. They cannot just give away their families' assets. But those assets, in some cases, in central Florida and elsewhere, are farm lands that are productive but they are key if we are going to save Florida Bay, the Keys, and this great ecosystem.

I really want to commend the gentleman and thank him.

Mr. MICA. I thank the gentleman for his leadership. I regret that I take this position. I know the committee and the chairman have done a great job.

The CHAIRMAN. The time of the gentleman from Florida [Mr. MICA] has expired.

(At the request of Mr. REGULA and by unanimous consent, Mr. MICA was allowed to proceed for 1 additional minute.)

Mr. REGULA. Mr. Chairman, will the gentleman yield?

Mr. MICA. I yield to the gentleman from Ohio.

Mr. REGULA. Mr. Chairman, is the gentleman aware that we have funded the 1995 level on the south Florida ecosystem? We are very aware of the problems.

Mr. MICA. Yes. I do not speak, sir, to the south Florida ecosystem. I am talking about the ecosystem of the United States and the investment that we are making. These are so few dollars compared to the whole budget and to the money that is spent on studies and surveys and administration.

We will never get another chance, and what I would like to avoid is the mistakes that were made in south

Florida that I saw as I grew up in south Florida. So again, I strongly urge my colleagues who talked about property rights, about preservation, about environment and being strong supporters, to come forward and to support this amendment.

And I regret that I take a position in opposition to you and the committee.

Mr. CUNNINGHAM. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, for years this body has tried to purchase land when they had no money to buy it, and not only no money, they were in arrears of billions of dollars paying for land that they have already taken, and then they go ahead and try to buy more.

The last Congress, the same gentlemen that are arguing took 3½ million brand-new acres in the California desert plan. They took in Mojave about 1.4 million acres, in Death Valley, they took 1.5 million acres in Joshua Tree, totaling over 3.5 million acres. They did not have the money then to manage it, and then what happens is people go on this list. They say, "Do not leave these people in this position."

Well, when you try to buy land and you do not have the money in the first place, not only in our Congress but for the last 20 years, and you go billions of dollars in the hole and then you take people on that list and you do not let them improve their property, you do not let them do certain things to it and the value goes down and then you come in and say, "Now, we want to give you fair market value, which is probably 10 percent on your buck," that is wrong.

Even in the California desert plan, they are coming up with odd ways to keep people out of it by not even letting them use the current roads that access the California desert.

You say it is wrong to leave these people in there. Well, look who put them in there in the first place. You need to be able to pay for the land that we have. Over 50 percent of California is owned already by the Federal Government, and we are billions of dollars in just the operations.

The chairman is trying to put the money in the operations to manage the systems that we have that are also in arrears.

We need to take a look at what is fairness and access. Yes, there are needs for the environment, and there are certain areas, we have got an area in Carmel Valley I would love to be able to purchase. As a matter of fact, the builders will sell it to us. We do not have the money to do it. I would love to. But we are so many billions of dollars behind, I am going to have hard trouble finding it. It would be a good area because it connects all the things that you want to in endangered species. It gives corridors, it gives areas where we can protect those things.

I would love to help work with you to get the dollars for it, but we do not have it, and if we keep doing this and we keep taking governmental land and

making new land and not being able to pay for it, that is wrong, too, by putting private property rights at risk, and that is why most of us are against this.

Mr. MILLER of California. Mr. Chairman, will the gentleman yield?

Mr. CUNNINGHAM. I yield to the gentleman from California.

Mr. MILLER of California. I say to the gentleman, you know, you brought up the California desert. That was already Federal land. We changed the management structure from BLM to the National Park Service.

Mr. CUNNINGHAM. There are 3.5 million acres of brand-new land in that. The total was about 7 million acres.

Mr. MILLER of California. No, no. Those are public lands already owned by the United States.

Let me say this is not unique.

Mr. CUNNINGHAM. What about Catellus?

Mr. MILLER of California. This backlog, Catellus, is not in it. This backlog is not unique to the Democrats, because the majority on our Committee on Resources just reported out a \$5 million new national park. I mean if we are really serious about no backlog and whittling down the backlog, let us whittle down the backlog. Let us not add to this. This is money the taxpayers have deposited in a trust fund that they believe that was going to be utilized to take care of whatever that valuable piece of property you described or some other ecosystem of the United States.

Mr. CUNNINGHAM. There are lands, I would say to the gentleman from California, that I would love to work with the gentleman on, especially in our jewel State of California, that I think we can still say that cannot be used, that we would not be violating those private property rights.

I think the chairman has done a good job in acquiescing to the point that we need to support the current systems that we have and maintain the operations.

Mr. MICA. Mr. Chairman, will the gentleman yield?

Mr. CUNNINGHAM. I yield to the gentleman from Florida.

Mr. MICA. One of the things that concerns me is that we do not have funds available for land acquisition for Florida, for example, or for the situation that you have described. How would you propose that we get those funds? I share all of your concerns.

Mr. CUNNINGHAM. The first thing, I would not give \$5 billion to the former Soviet Union when they are building submarines. I would not give money to Haiti that can sit there for the next years, and we are spending billions of dollars there. We are looking into Somalia. We are going to spend billions of dollars there. There are a lot of areas this Congress could do it. We are not doing it. I think the chairman, with the limited resources he has, has done a good job.

Mr. VENTO. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment offered by the gentleman from California [Mr. MILLER].

As I was listening to the debate on this, obviously I think a lot of people are talking by one another with records to what the gentleman from California [Mr. MILLER] is proposing.

What he is proposing is to try to keep the commitments that we have made with regards to purchasing lands that are already mostly and already have been designated by this Congress, and these are lands obviously within parks, within the forests, within other areas which are very sensitive, which generally, in fact, of course, when the land management agencies, whether it is Fish and Wildlife Service or any of the others that are to be extended some extra dollars under this or given such authority, it is a willing-seller, willing-buyer basis.

□ 1715

And I just wanted to point out that these are already decisions that have been made, so, the gentleman from California, when these lands are available in Carmel, or wherever we are talking about that are sensitive lands, this is the opportunity to do it. We have set aside this fund. We set aside over \$1 billion a year from land water conservation moneys and historic preservation, and it comes out of the resources that were pumping the oil out, that we are using up our natural resources, and the commitment that has been made is that we would take those dollars and put them back into building a legacy for the future, for the next generation, in terms of these special lands that have been designated by Congress.

And the fact of the matter is that we are not, we are not, keeping that commitment. Those dollars are being taken out of the offshore oil and gas reserves and expended in other ways. We tried to do that to insulate it from the type of decisions that we are dealing with when we are dealing with human investment programs and foreign aid programs so that we could have that particular program be inviolate. Today we are \$11 billion behind in terms of that fund that is available until expended, so that is where we are at, and we are not going to catch up with it, we are not going to deal with this important legacy, with these commitments.

I can think of parks in my own State that have been designated some 25 years ago which still have inholdings. We have willing sellers, willing buyers, and they are waiting. They are waiting for the Federal Congress, for us, to appropriate the money so that they can begin to negotiate and to purchase these particular inholdings. We have people literally from Alaska to Florida, from California to New York, that basically these commitments have been made, and these parks exist, and it is very complicated.

I say to the gentleman, You talk about administrative costs. You try to administer something when you have lands within that are not public lands within these parks, willing sellers. You are gravely complicating the costs of administering those particular lands under those circumstances.

So the Miller amendment would take this money out of other accounts and provide it so that the States would be able. Here is a very good program where the States have cooperated in partnership, where urban areas would receive a small amount of money and where the Federal Government, our forests, our parks, our Fish and Wildlife Service areas, and the BLM which is buying sensitive riparian lands in their areas so that they have the water to go with the lands, are on a willing seller, willing buyer basis purchasing these particular sites so that we could, in fact, have a meaningful program and protect the legacy of the next generation.

Mr. REGULA. Mr. Chairman, will the gentleman yield?

Mr. VENTO. I yield to the gentleman from Ohio.

Mr. REGULA. Mr. Chairman, the gentleman mentioned that we had commitments. Commitments in what way? Do we have contracts with landowners, or is the gentleman just simply saying these are within the boundaries of the parks or forests as the case might be?

Mr. VENTO. Reclaiming my time, of course they are within the boundaries of places like the Voyageurs where people have lands, of course, because they are within parks. We do not want them to develop it. They are in abeyance. They are holding it. We are building in controversy here. We are, as the gentleman knows, obviously causing greater problems.

As the gentleman from Florida [Mr. MICA] has mentioned, he has seen in Florida the type of problems that have evolved where we made special commitments to the purchase, and nothing is more important than the all right purchases in an honest way.

Mr. MICA. Mr. Chairman, will the gentleman yield?

Mr. VENTO. I yield to the gentleman from Florida.

Mr. MICA. In fact, would not the gentleman view this as a pro-property-rights amendment because we have told so many people out there that we are going to pay for their land, and, if we deprive them of the right to use that land, that is fact that this is a pro-property-rights amendment, that the questions of access, the questions of takings and other issues that have been raised here—would not the gentleman say that they are in fact false issues because we are talking about whether or not we have any funds to acquire these lands?

Mr. VENTO. I think the gentleman makes a very, very good point. I think the reason we have the issue of takings, the limitation on land is aggravated greatly by the fact the Federal Government—

The CHAIRMAN. The time of the gentleman from Minnesota [Mr. VENTO] has expired.

(By unanimous consent, Mr. VENTO was allowed to proceed for 1 additional minute.)

Mr. VETO. Mr. Chairman, just to conclude, I think that the reason we have the problems in terms of the Federal Government and its contact with landowners, whether it is in Alaska or other places, is because we are not keeping our commitments with regards to these sensitive lands and these programs. It has led to the types of problems that we have seen in the sort of solutions that are very—are not workable but nevertheless are being advanced simply on an off-and-on emotional basis, so I hope today—I think we should be able to come together, and put the dollars up there where the commitments have been made to honor basically the contracts we made when we designated these lands, and to help in the efficiency and proper administration, whether it is parks or other public lands. Giving these dollars to the Federal Government under the conditions and strictures that have been in place, the Committee on Appropriations has to approve each one of these particular purposes. I say to my colleagues, "You have got absolute control over this in terms of the reporting requirements which many of us would object to, but that is the case, so I think you can rest assured that these dollars will be spent well. I think we should trust our States and work in a cooperative and a collaborative manner with them on these programs which we have made commitments to rather than pulling the rug out from under them which this bill does today without the Miller amendment."

Vote for the Miller amendment.

Mr. REGULA. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 10 minutes and that the time be equally divided.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The CHAIRMAN. The gentleman from Ohio [Mr. REGULA] will be recognized for 5 minutes, and the gentleman from California [Mr. MILLER] will be recognized for 5 minutes.

The Chair recognizes the gentleman from Ohio [Mr. REGULA].

Mr. REGULA. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. POMBO].

Mr. POMBO. Mr. Chairman, I thank the gentleman for yielding this time to me, and it is quite entertaining to listen to this debate and the poor-mouthing that is going on about the poor people, the poor Federal Government, that has not been able to purchase land. I think that the facts may surprise a few people.

Out of 650 million acres that the Federal Government currently owns, 35 million acres have been bought in the last 20 years, 35 million acres.

Now the gentleman from Florida [Mr. MICA] talks about Florida and areas that he would like to protect in Florida, and granted they may be areas that need to be protected and maybe should be bought and set aside as a preserve, or a wildlife habitat, or a wilderness area for that matter, but in looking through the GAO report, the Federal Government owns 4 million acres in the State of Florida already.

Now is all this 4 million acres land that the Federal Government should own, or maybe should some of it be sold so some money could be gathered up to purchase the land?

I think that it is extremely important that we realize that the Federal Government is adding land every year, not just purchasing land every year, but we are authorizing them to purchase more.

It was brought up by the gentleman from California [Mr. MILLER] that we approved a new park recently which I did not happen to agree and think was that great an idea. I think that maybe we ought to look at all the parks we have right now and decide whether or not they are all that we have.

But we have 650 million acres of Federal land. There is absolutely no reason why we cannot sell off some of that Federal land to purchase some of these sensitive environmental areas, some of these areas that would be ideal endangered-species habitat or wilderness areas.

As the gentleman knows, in my State, 50 percent of which the Federal Government owns, we have enough Federal land. We would be willing to sell some of our land to purchase some sensitive areas.

I think that we have to really look at what we are talking about doing here instead of continuing to add more and more Federal lands.

Mr. REGULA. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, just to get this all totally in focus I say to my colleagues, "If you voted for the budget resolution, it had a moratorium on land acquisition so you should be against this amendment."

We have already cut fossil energy research. This really decimates it. I say to my colleagues, "If you don't care about our energy future, or our energy independence, or our national security, then you're not going to worry, but I think it is important. We have to balance out the needs."

The reason we are not buying a lot more land is that we do not have enough money to take care of what we have, and, therefore, I think it does not make a lot of sense to buy additional land. We could generate revenues with offshore drilling in California and Florida, but I suspect that the proponents here that would like to buy more land and have more money are opposed to offshore drilling.

I would also point out when we did the rescission we found millions of dollars that have been appropriated that have not yet been spent.

One last thing:

We provide in the bill that the agencies can do land exchanges with private for public to adjust the boundaries, and that offers them an opportunity to get lands that are needed without spending more money or without taking on additional responsibilities.

I believe we have a very responsible approach in this bill. I would strongly urge my colleagues to vote against this amendment. We do not want to decimate fossil energy research. We do not want to buy more land. Already more than 38 percent of America is owned by the Federal Government, and we should use these lands for productive purposes. We have great lands that we need to enhance and operate effectively, and to take on more responsibility makes it impossible to get to the kind of deficit lowering that we want to see in the future.

Mr. MILLER of California. Mr. Chairman, I yield 1 minute to the gentleman from Minnesota [Mr. VENTO].

Mr. VENTO. Well, Mr. Chairman, the fact is that we already take in the money from the offshore oil and gas. Opening up more would not get us the money because it is being diverted to some other place. I know we talk about what was in the budget resolution. The budget resolution abolishes the Department of Energy, abolished it. That is where this money is being taken from, is from the Department of Energy. The question is we have had a lot of these paper promises in terms of delivering the money. As far as the Federal Government is concerned, we have given away 200 million acres of land in the last 30 years. We have given it away, and that is fine. That is appropriate in terms of many of the laws we have, so there is nothing wrong with that in terms of what we purchase. We are buying the sensitive riparian areas, the areas that have the endangered species, trying to round out the ownership for the parks, the BLM, so that we, in fact, can avoid the types of conflicts and reduce the administrative costs, and we need to have a funding account here with these dollars for reasonable land purchases which are approved by the chairman of the appropriations subcommittee, and I know they have done good work in the past and they will do it in the future. We can count on them to properly screen and filter these purchases. Vote for the Miller amendment.

Mr. MILLER of California. Mr. Chairman, I yield 1 minute to the gentleman from Montana [Mr. WILLIAMS].

Mr. WILLIAMS. Mr. Chairman, I want my colleagues to understand we have a several-hundred-million-acre backlog here, and this money is greatly needed. We are not doing the job now.

Now by the way, these are private landholders who are trying to strike agreements, and some of them have waited a very long time, and they will expect that their Government is going to follow through on its commitments. The money that the gentleman proposes to put back in will only bring us

up to a level where we still have a several-hundred-billion-acre backlog, but at least it will not get worse.

For the good of habitat in this country, for the good of wild lands in this country, for the good of wild rivers in this country, and for the good of private land holders who want to help and expect the Federal Government to keep the agreements that have been made with them please support this amendment.

Mr. MILLER of California. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN. The gentleman from California [Mr. MILLER] is recognized for 3 minutes.

Mr. MILLER of California. Mr. Chairman and members of the Committee, this is about priorities. This budget resolution froze land acquisition. It also abolished the Department of Energy. One of the reasons it abolished the Department of Energy, I suspect, was we have already put \$8 billion into this fossil fuel research, and we have gotten bukiss out of it. We have gotten a huge debt out of it. Here is one of the wealthiest industries in the world who makes huge financial decisions about research, about exploration, about development and the hundreds of billions of dollars, and we are telling ourselves we believe in the marketplace, so to speak, but they are only \$200 million of taxpayers' moneys away from a breakthrough. They could not do it on the first 8 billion, and actually it is far more than that. That is just the last 5 or 6 years, \$200 million.

So, I say to my colleagues, "Choose the priority. You can choose land acquisition and protection for the national parks and the wildlife refuges, or you can choose to force-feed \$200 million more than the Committee on Science tells you that they are prepared to see this organization spend, and this adds to the \$8 billion you have tried to force-feed in terms of energy development."

Now, you said abolish the Department of Energy. But apparently when it is gone, the subsidy to these corporate clients will continue to be left.

□ 1730

So this is about priorities, this is about stark choices, and this is about decisions. When your constituents ask you why don't you run the government like a business, it is because you are feeding business \$200 million they do not need, do not want, and do not find in their priorities. If this was a priority, they would be spending money on it. They are out in deep waters in the Gulf, they are in Russia, they are in the Middle East, they are in Kazakhstan, they are in China, and they are in Vietnam. And we are, like fools, sitting here saying, "Oh, will you do some energy research in the United States of America?"

Let's choose the ecosystem of America. Let's choose the national parks. Let's choose the refuges, let's choose

our urban park land, the families and recreation and the 300 million visitor days that will take place this summer, as we sit here and debate, by people who have chosen our national parks, chosen our seashores, chosen our refuges, chosen our national forests. Give them a hand. Give them a hand. Exxon, Chevron, Shell, Phillips, these boys, they will figure it out themselves. They always have. Vote for the Miller amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. MILLER], as modified.

The question was taken; and the Chairman announced that the ayes appeared to have it.

RECORDED VOTE

Mr. REGULA. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 170, noes 253, not voting 11, as follows:

[Roll No 502]
AYES—170

Abercrombie	Harman	Payne (NJ)
Ackerman	Hastings (FL)	Payne (VA)
Andrews	Hilliard	Pelosi
Baessler	Hinchev	Peterson (FL)
Baldacci	Hoyer	Ramstad
Barcia	Jacobs	Rangel
Barrett (WI)	Jefferson	Reed
Bass	Johnson (SD)	Richardson
Becerra	Johnston	Rivers
Beilenson	Kelly	Rose
Bereuter	Kennedy (MA)	Roukema
Berman	Kennedy (RI)	Roybal-Allard
Bishop	Kennelly	Rush
Boehlert	Kildee	Sabo
Bonior	Klecaska	Sanders
Borski	Klug	Sanford
Brown (CA)	Lantos	Sawyer
Brown (FL)	Lazio	Saxton
Brown (OH)	Leach	Schroeder
Bryant (TX)	Levin	Schumer
Cardin	Lewis (GA)	Scott
Clay	Lincoln	Serrano
Clayton	LoBiondo	Shays
Clement	Lofgren	Skaggs
Clyburn	Longley	Slaughter
Collins (IL)	Lowe	Smith (NJ)
Conyers	Luther	Spratt
de la Garza	Maloney	Stark
DeFazio	Manton	Studds
DeLauro	Markey	Stupak
Dellums	Martinez	Tanner
Deutsch	Martini	Thompson
Dicks	Matsui	Thornton
Dingell	McCarthy	Thurman
Dixon	McDermott	Torkildsen
Doggett	McHale	Torres
Engel	McKinney	Torrice
Eshoo	Meehan	Towns
Evans	MEEK	Tucker
Farr	Menendez	Velazquez
Fattah	Meyers	Vento
Fazio	Mfume	Visclosky
Fields (LA)	Mica	Volkmer
Filner	Miller (CA)	Ward
Flake	Mineta	Waters
Foglietta	Minge	Watt (NC)
Forbes	Mink	Waxman
Fox	Moran	Weldon (FL)
Frank (MA)	Morella	Weldon (PA)
Franks (NJ)	Nadler	Williams
Furse	Neal	Woolsey
Gejdenson	Oberstar	Wyden
Gephardt	Obey	Wynn
Gibbons	Olver	Yates
Gilman	Owens	Zeliff
Gutierrez	Pallone	Zimmer
Hamilton	Pastor	

NOES—253

Allard	Bachus	Ballenger
Archer	Baker (CA)	Barr
Armey	Baker (LA)	Barrett (NE)

Bartlett	Gekas	Neumann
Barton	Geren	Ney
Bateman	Gilchrest	Norwood
Bentsen	Gillmor	Nussle
Bevill	Gonzalez	Ortiz
Bilbray	Goodlatte	Orton
Bilirakis	Goodling	Oxley
Bliley	Gordon	Packard
Blute	Goss	Parker
Boehner	Graham	Paxon
Bonilla	Gunderson	Peterson (MN)
Boucher	Gutknecht	Petri
Brewster	Hall (OH)	Pickett
Browder	Hall (TX)	Pombo
Brownback	Hancock	Pomeroy
Bryant (TN)	Hansen	Porter
Bunn	Hastert	Portman
Bunning	Hastings (WA)	Poshard
Burr	Hayes	Pryce
Burton	Hayworth	Quillen
Buyer	Hefley	Quinn
Callahan	Heineman	Radanovich
Calvert	Herger	Rahall
Camp	Hilleary	Regula
Canady	Hobson	Riggs
Castle	Hoekstra	Roberts
Chabot	Hoke	Roemer
Chambliss	Holden	Rogers
Chapman	Horn	Rohrabacher
Chenoweth	Hostettler	Ros-Lehtinen
Christensen	Houghton	Roth
Chrysler	Hunter	Royce
Clinger	Hutchinson	Salmon
Coble	Hyde	Scarborough
Coburn	Inglis	Schaefer
Collins (GA)	Istook	Schiff
Combest	Jackson-Lee	Seastrand
Condit	Johnson (CT)	Sensenbrenner
Cooley	Johnson, E. B.	Shadegg
Costello	Johnson, Sam	Shaw
Cox	Jones	Shuster
Coyne	Kanjorski	Siskis
Cramer	Kaptur	Skeen
Crane	Kasich	Skelton
Crapo	Kim	Smith (MI)
Creameans	King	Smith (TX)
Cubin	Kingston	Smith (WA)
Cunningham	Klink	Solomon
Danner	Knollenberg	Souder
Davis	Kolbe	Spence
Deal	LaFalce	Stearns
DeLay	LaHood	Stenholm
Diaz-Balart	Largent	Stockman
Dickey	Latham	Stokes
Dooley	LaTourrette	Stump
Doolittle	Laughlin	Talent
Dornan	Lewis (CA)	Tate
Doyle	Lewis (KY)	Taylor (MS)
Dreier	Lightfoot	Taylor (NC)
Duncan	Linder	Tejeda
Dunn	Lipinski	Thomas
Durbin	Livingston	Thornberry
Edwards	Lucas	Tiahrt
Ehlers	Manzullo	Trafficant
Ehrlich	Mascara	Upton
Emerson	McCollum	Vucanovich
English	McCreery	Waldholtz
Ensign	McDade	Walker
Everett	McHugh	Walsh
Ewing	McInnis	Wamp
Fawell	McIntosh	Watts (OK)
Flanagan	McKeon	Weller
Foley	McNulty	White
Ford	Metcalf	Whitfield
Fowler	Miller (FL)	Wicker
Franks (CT)	Molinari	Wilson
Frelinghuysen	Mollohan	Wise
Frisa	Moorhead	Wolf
Frost	Murtha	Young (AK)
Funderburk	Myers	Young (FL)
Galleghy	Myrick	
Ganske	Nethercutt	

NOT VOTING—11

Bono	Green	Montgomery
Coleman	Greenwood	Reynolds
Collins (MI)	Hefner	Tauzin
Fields (TX)	Moakley	

□ 1755

The clerk announced the following pairs:

On this vote:

Mr. Moakley for, with Mr. Bono against.

Messrs. HORN, TAYLOR of Mississippi, BENTSEN, and Ms. JACKSON-

LEE changed their vote from "aye" to "no."

Messrs. GILMAN, DE LA GARZA, and PETERSON of Florida, Mrs. KELLY, and Messrs. FOX of Pennsylvania, SAWYER, ZELIFF, BRYANT of Texas, and LONGLEY changed their vote from "no" to "aye."

So the amendment, as modified, was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. NEUMANN

Mr. NEUMANN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. pro tempore (Mr. BARRETT of Nebraska). The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. NEUMANN: Page 12, strike lines 4 through 8.

Page 12, strike lines 21 through 25.

Mr. REGULA. Mr. Chairman, I ask unanimous consent that debate on this amendment and all amendments thereto close in 20 minutes and that the time be equally divided.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

Mr. DICKS. Mr. Chairman, reserving the right to object, the gentleman from California feels very strongly about this. He is willing to agree to 30 minutes, 15 minutes on each side, if that is agreeable.

Mr. REGULA. Mr. Chairman, I withdraw my unanimous consent request.

Mr. Chairman, I ask unanimous consent that debate on this amendment and all amendments thereto close in 30 minutes and that the time be equally divided.

The CHAIRMAN. The Chair will state his understanding of this request. The time for debate on the pending amendment and all amendments thereto shall be limited to 30 minutes, equally divided and controlled by the gentleman from Wisconsin [Mr. NEUMANN] and the gentleman from Washington [Mr. DICKS].

Is there objection to the request of the gentleman from Ohio?

There was no objection.

The CHAIRMAN. The gentleman from Wisconsin [Mr. NEUMANN] will be recognized for 15 minutes, and the gentleman from Washington [Mr. DICKS] will be recognized for 15 minutes.

The Chair recognizes the gentleman from Wisconsin [Mr. NEUMANN].

□ 1800

Mr. NEUMANN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I want to thank the gentleman from Texas [Mr. STENHOLM] for joining me as a cosponsor in this bill. We have bipartisan support for this bill.

Mr. Chairman, our Nation stands \$4.8 trillion in debt. We will overdraw our national checkbook this year alone by over \$200 billion. Our children and our grandchildren are counting on us to stop spending money that we do not

have. We must start prioritizing our spending habits. This amendment would cancel the expenditure of \$800,000 of taxpayer money to be spent on elephants, tigers, and rhinoceroses. I care about wildlife and I sure do not want to see elephants, tigers, or the rhinos become extinct.

The Neumann-Stenholm amendment would not mean that elephants, tigers, or rhinos would become extinct. In fact, the African elephant fund has collected over \$4.5 million since 1991 in private contributions. The taxpayers of the United States have added \$3.7 million since that time. This amendment simply turns off the use of Federal tax dollars for this purpose. These programs and activities are properly left for private foundations, not to be paid for by the U.S. taxpayers.

Some people here in Washington would have us believe that \$800,000 is not worth worrying about. Let me respond. I understand it take \$1 per day to keep a starving child alive in some of these same foreign countries. That means we could use these same tax dollars to keep 2,100 starving children alive, rather than spend the money to preserve tigers, elephants, and rhinos.

We have told our senior citizens that Medicare is broke, and it is. The fact of the matter is that by the year 2002 the Medicare system does not have enough money to pay its bills. We have told them there is no extra money to put into the system. I would like to know how we are going to explain this sort of an expenditure to those same senior citizens.

Our Nation is counting on this new Congress to solve the financial problems facing our country today. This is just one small step in restoring fiscal responsibility so as to preserve this great Nation of ours. I urge the passage of this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. DICKS. Mr. Chairman, I yield 7 minutes to the distinguished gentleman from California [Mr. BEILEN-SON] who has been one of the most knowledgeable Members of this institution on these very important programs. I strongly support these programs, as he does.

(Mr. BEILEN-SON asked and was given permission to revise and extend his remarks.)

Mr. BEILEN-SON. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I rise in strong opposition to the Stenholm-Neumann amendment, which would eliminate all funding for the African Elephant Conservation Fund and for the rhinoceros and tiger Conservation Fund.

Mr. Chairman, I also want to say at the outset that I hope we have not reached the point around here where every good and useful thing that we have ever done, or every program, no matter how successful and useful, is automatically suspect, and automatically subject to being eliminated just because it costs some money, even if it

is a very, very small amount of money, such as in the case we are discussing here today.

These two programs, tiny as they are, hold the best hope, perhaps our only hope, of saving from extinction three of the world's most venerated creatures. The decision by Congress to eliminate these programs could have terrible consequences that we would never have the chance to reverse.

The amendments being offered, despite the fact that the bill already cuts the elephant fund to \$600,000, half the money of this year's appropriation, only half the amount requested by the administration, it also cuts the rhino and tiger fund by \$200,000, half the amount required by the administration, so along with virtually everything else in this bill, because of budget constraints, these programs are already being cut by 50 percent with the committee bill.

For the very minor amount of savings that would be gained by this amendment, a total of \$800,000, its enactment would deal a potentially catastrophic blow to our efforts to save three species of animals that are on the brink of extinction, and would harm as well many other species which benefit from these programs.

There are fewer than 11,000 rhinoceroses left in the wild today. There are fewer than 6,000 tigers left in the wild today. The numbers of these two creatures have declined rapidly in recent years because of the demand for their parts and the poachers who supply that demand. There may well be no rhinoceroses at all, no tigers at all, left on the face of the earth in the next few years' time, except perhaps for a few in the zoos, and they will not last very much beyond a few additional years.

Mr. Chairman, I personally, and I hope the Members also, find that inexpressibly sad and potentially tragic. I believe that our modest efforts to save these species are well worth the mere \$800,000 that we are arguing over here tonight. Although all tiger subspecies and all rhinoceros species have been listed as endangered for many years, the prohibition on trade of these animals has not been well enforced in some countries where their parts are believed by man to have medicinal value. Because of the strong cultural belief in the rhinoceros' and tiger's curative powers, it has been an extremely difficult and complex task to eliminate trade in these species.

However, as the plight of the tiger and rhino has grown increasingly serious, so too has our response. Last year the President imposed trade sanctions on wildlife products from Taiwan, which was the first time the United States has ever opposed such sanctions for trade in the Endangered Species Act. Those sanctions were lifted recently in recognition of the progress Taiwan has made in combatting trade in endangered species, but the situation still requires close monitoring

In tandem with that effort, toward the end of last year Congress authorized the rhinoceros and tiger Conservation Fund. We knew from our successful experience in slowing the decline of the African elephant that we could stop the decline of rhinos and tigers by providing assistance to other countries that they need to conserve these animals. The fund would provide grants to foreign governments and nonprofit groups that develop rhino and tiger conservation projects. In addition, private donations could be accepted and used for approved projects.

This is an example, Mr. Chairman, with the rhinoceros there has been some success in efforts to form new herds from scattered individual rhinos and remaining members of herds that have been decimated. If they are brought together in suitable habitat with greatly increased security, in time, group bonds form and a new herd can be established. Unfortunately, rhinos all live in developing nations, which simply do not have the resources to undertake this kind of preservation effort on a sufficiently large scale to ensure the recovery of the species.

Mr. Chairman, we have had a decent amount of experience with such programs. Mr. Chairman, we have had a decent amount of experience with these programs, because the rhinoceros and tiger fund is modeled on the successful African Elephant Conservation Fund that has been in existence since 1989, and is the other program which would be eliminated entirely by this amendment.

The gentleman from Texas [Mr. FIELDS], who unfortunately cannot be here today because of a death in the family, the gentleman from Massachusetts [Mr. STUDDS], and I, concerned by the catastrophic decline of the African elephant whose numbers plummeted from 1.5 million to about 400,000 just in the decade of the 1980's, were the co-authors of that bill, which President Reagan signed into law about 6 years ago.

Under that program, with a relatively modest amount of funding, less than \$1.2 million a year, the United States has supported 55 projects in 15 African countries, many of which are extremely poor and desperately need the scientific and antipoaching assistance that we and other nations have to offer to help them manage their elephant populations. In fact, the elephant program has been perhaps the most successful effort ever undertaken anywhere in the world to ensure the preservation of a species in its native habitat.

Because of our leadership and contributions to the international coordinating group, every range country in Africa now has a short-term and a long-term conservation plan and we are all actively engaged together in efforts to implement that plan. Elephant populations now have been stabilized for the first time in recent memory, in the

last 6 years, at about 400,000, the level they were at the end of the 1980's.

In addition, the elephant fund helps protect other species as well, because elephants play an enormous role in the ecosystems they inhabit, take up an enormous amount of space and area. Anything we could do to conserve them conserves other species who live in those same spaces.

Most importantly and finally, Mr. Chairman, our efforts have served as a catalyst in generating major contributions and technical assistance from nongovernmental organizations, from other donor nations such as Japan and several western European nations.

Mr. Chairman, in conclusion, I believe, and I hope Members do too, it would be unspeakably tragic if three of the most wondrous and beloved creatures on earth, creatures we have always thought of as part of our world, were no longer in existence. The tragedy would be greatly compounded if in the years to come our children and grandchildren, looking back at this time, saw that one major reason these creatures were no longer part of their world was because back in 1995, the Congress of the greatest, most powerful, and wealthiest Nation of the world refused to spend a mere \$800,000 to help to try to save them.

I know it is not a lot of money, I know it is easy to make fun of such a program, I think it is terribly important what we are embarked on here. We are not asking a lot of help. It is being cut by one-half anyway. I urge my colleagues to defeat this amendment and do what the people of this country, if you were to ask them, would want us to do: help preserve these magnificent creatures.

Mr. NEUMANN. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia [Mr. GINGRICH], the Speaker of the House of Representatives, and perhaps one of the finest people in the United States of America.

Mr. DICKS. Mr. Chairman, I would be delighted to yield an additional 2 minutes to the gentleman from Georgia, the Speaker, if he would so choose.

The CHAIRMAN. The gentleman from Georgia [Mr. GINGRICH] is recognized for 4 minutes.

Mr. GINGRICH. Mr. Chairman, let me just say that I very much appreciate the graciousness with which my colleague, the gentleman from Wisconsin, yielded time to me.

Mr. Chairman, this is an amendment which means well, but I think does wrong. This is a very small amount of money, but it is symbolically very important, and symbolically important in part for the signal it sends to people, particularly in Africa and Asia, about whether or not the United States is prepared to reach out and be helpful.

I want to confess up front, from a Republican standpoint I have some concern for elephants, but as a person, and maybe this is because of my own physique, I have a particular affection for rhinoceroses. I happened to have helped

the Atlanta zoo get two rhinos. I do not want anyone on this side of the aisle to start making all the obvious comparisons.

However, I will say that when we think about the gesture we are making, and this has already been modified by the subcommittee in a way which I thought was very helpful in moving toward raising private sector funds and in making sure that we had to get involvement from the private sector, but I think that for this tiny amount of money, we are helping maintain an effort on behalf of some large mammals, all of which are severely threatened and all of which could disappear, literally be gone, unable to ever again find them in the wild. Frankly, we are learning more and more about just how difficult it is to reintroduce large animals, because they do not learn the habits in zoos of being capable of survival.

Therefore, I would simply say to all my friends, we have done a lot to cut spending this year. I am eager to get to a balanced budget. Most of us have actually voted for a massive cut in overall spending. We have proven we are committed to fiscal conservatism. This is a very tiny, very good series of programs which are not only important for ourselves, but which I believe send a signal; and I will tell all of the Members, when we look at some of these countries that are very poor, and they have suppressed poaching, and they have suppressed that, if you look at the value of a rhinoceros horn and you are a poor villager in southern Africa, look at the value of an elephant tusk, look at the value of a tiger skin, and look at countries which have voluntarily imposed on their own local people economic deprivation in order to sustain these species so that our children and our grandchildren can have a chance to see some of the most magnificent animals in the modern era; and then to say that we are going to allow them to disappear, and join that dinosaur skull I have in my office and be extinct, for \$800,000 total, it just seems to me that there are lots of places to find savings.

We have found vastly more savings, I would say, with the help of the gentleman from Wisconsin, we have found more savings from the legislative branch, we are finding savings every week in the executive branch, and we will continue to work to find places to cut, but I would urge all of the Members, if this comes to a recorded vote, to join together in sending a signal to these poor countries in Africa and Asia, that this is a project they ought to have courage to stay with, that we want to stay with them in making it possible, and then some day, 20 or 30 years from now, if the rhinoceros still survives in the wild and the tiger still survives in the wild and the elephant still survives in the wild, you can feel like, hey, this was a nice thing to do for the human race.

Frankly, I think it is the kind of thing that, occasionally we ought to

just stop; we do not have to cut mindlessly just because we want to get to a balanced budget.

Mr. NEUMANN. Mr. Chairman, I yield myself 1½ minutes.

Mr. Chairman, I would just like to add two things to what the Speaker says. First, I have the greatest respect for the Speaker of the House of Representatives. I would like to agree with him that this is clearly a symbolic vote, and that it clearly does send a message to the people of the United States of America as well as to foreign countries.

This is a question about whether we are going to cut back on programs or zero programs out. We have made the efforts to cut back on this program, I concur. The question now is whether we are going to go ahead and zero out programs, as opposed to just cut them back.

□ 1815

The Republican Party has talked a lot about zeroing out programs, and I would concur that this is a symbolic vote. I would also add that passing this amendment is not designed to terminate the programs to preserve elephants, rhinoceroses or tigers. It is simply an effort to say that the United States tax dollar should not be used for that purpose. We in this Nation need to reach the point where Government does not keep doing for others what others ought to be doing for themselves.

Mr. Chairman, I yield 3 minutes to the gentleman from Texas [Mr. STENHOLM].

(Mr. STENHOLM asked and was given permission to revise and extend his remarks.)

Mr. STENHOLM. Mr. Chairman, I rise in support of the Neumann-Stenholm amendment to H.R. 1977, the Interior appropriations bill for fiscal year 1996. First, I would be remiss if I did not commend the gentleman from Wisconsin for taking the lead on this issue. He is serious about deficit reduction and I am pleased to be a part of this small effort with him.

Our amendment is simple; it is about budget priorities. Our Nation currently has a \$4.8 trillion debt. Medicare, Medicaid, education, agriculture, and many other important programs are being forced to make painful cuts due to a significant reduction in their funding. Yet this bill proposes sending nearly \$1 billion to Africa and other countries for preservation of elephants, tigers, and rhinoceroses.

The folks in my district tell me it is time that the Federal Government set reasonable budget priorities for their hard-earned tax dollars. While the preservation of exotic animals is a worthy goal, which I support wholeheartedly, I do not believe that sending \$800,000 to Africa for this purpose meets the test of a reasonable budget priority.

I certainly do not oppose the common sense protection of endangered species. Many species have been saved

and some are even flourishing now due to protection of their habitats. Our amendment will not mark the end of financial support for the African elephant, rhinoceroses or tigers. Over the past 5 years, outside groups have donated money for preservation of these species and their habitats totaling over \$4.5 million.

Due to our current budgetary crisis, we are being forced to cut many, many good programs. The issue is not whether it is a good idea to preserve the habitats of elephants, rhinoceroses, and tigers in Africa and other countries. The issue is whether this is a current budget priority on which to spend American tax dollars. In this case, there is obviously significant interest and willingness to help from outside groups—they have done and are doing a great job of raising money for this purpose. To the extent possible, I believe we should encourage the private sector to provide funding for these types of projects. As a matter of fact, if those who are busy lobbying against this amendment spent the same amount of time, energy and money on fundraising—everyone would win.

Interestingly, the Federal Government does not currently compensate U.S. landowners whose use of their property is restricted due to the inhabitation of an endangered species. By law, these landowners cannot disturb an endangered species habitat even if it is on their private property. Therefore, the financial cost of protecting a domestic endangered species often falls on everyday U.S. citizens. Yet, at the same time, we send American tax dollars to foreign countries for the purpose of protecting an endangered species and its habitat. This simply does not make sense.

The Neumann-Stenholm amendment makes good sense. I urge my colleagues to support this fiscally responsible amendment.

Mr. DICKS. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey [Mr. PALLONE].

Mr. PALLONE. Mr. Chairman, just very quickly, I have a great deal of respect for the gentleman from Texas [Mr. STENHOLM] and the gentleman from Wisconsin [Mr. NEUMANN], but I have to disagree with them strongly on this issue and certainly agree with what the Speaker said.

The gentleman from Wisconsin mentioned children and the gentleman from Texas mentioned education. I cannot think of anything that is more important in a sense, in an overall sense for children and education, than trying to preserve the species. If anybody, and I am sure many of you have, have ever taken your children to a zoo to see elephants or rhinoceroses, the type of pleasure children get out of seeing those species, so many of the programs that children watch on TV, whether it be cartoons or educational programs, have elephants, rhinoceros and tigers. There is really a great thrill that children get in seeing the species,

the animals themselves, as well as seeing the representations on TV.

I think the bottom line here is that these species are seriously threatened. A small amount of tax dollars will only help these nonprofit associations raise money. For the small amount of money we are talking about here, I think it is wisely intended, and we should oppose this amendment.

Mr. NEUMANN. Mr. Chairman, I yield 4 minutes to the gentleman from Ohio [Mr. REGULA].

Mr. REGULA. I thank the gentleman for yielding me the time.

Mr. Chairman, the Speaker was very eloquent in opposing this amendment, and I would only add an "amen" to what he had to say. The request we received from the President was for \$1.6 billion and it was well-justified. However, in putting our bill together, we recognized we had to cut back as much as possible. So we cut the President's request in half, and that is what is in the bill today.

There has been an enormous decline in the rhino population, the tiger population, the elephant population. Many of us can remember as children first learning about these species in reading the National Geographic, and we want our children and our grandchildren and great-grandchildren to likewise have the experience of knowing about these kind of animals.

We spent last year \$69 million here in the United States on endangered species. The rhinos and the tigers and the elephants are more than just the Africans' possessions; they belong to all of us. They are part of our heritage and part of our natural cultural experience. We go to the zoos, we take our children to the zoos, our grandchildren, to see these animals. If they were to become extinct, it would be a tragedy for all of the people of the world.

These countries are poor. They do not have the resources. Of course, as was mentioned, the sale of the rhino horns and other things are an attractive thing for poachers. The way we have structured this, it requires a 2-to-1 match from the private sector. We provide \$1, we get \$2 from the private sector. Generous people, all over the United States, who care, are contributing.

I would urge my colleagues to vote against this. This is a wonderful investment. When you think we spend \$69 million on endangered species, and here we are talking about a mere \$800,000 which will be multiplied many times over by the countries where these animals are indigenous by the private sector contributors. I cannot say as eloquently as the Speaker how important this is for the preservation of these species.

Mr. DICKS. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Maryland [Mr. GILCHREST].

Mr. GILCHREST. Mr. Chairman, I thank the gentleman for yielding me the time.

Mr. Chairman, I think everyone in this room knows what HIV is, and that

it leads to AIDS. HIV is human immunodeficiency virus.

It has just been discovered by a gentleman from Maryland that cats, cats in the wild, have FIV, that is feline immunodeficiency virus. They got it about 200 million years ago and through the course of time they have developed a resistance to FIV. Cats some time ago gave it to monkeys, SIV, simian immunodeficiency virus, and they gave it to humans. If we lose the wild cats in the wild, we will not have any sense of understanding about how they were able to balance HIV with not getting AIDS.

It is important, I think, for us to have some sense of preservation for these wild animals. I urge a "no" vote on this particular amendment. If we want to understand the nature of nature and preserve the quality of life for people, let's contribute just a few dollars which will add up to big bucks later.

Mr. DICKS. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Oklahoma [Mr. BREWSTER].

(Mr. BREWSTER asked and was given permission to revise and extend his remarks.)

Mr. BREWSTER. Mr. Chairman, I rise in opposition today to the Stenholm-Neumann amendment eliminating funding for the Rhino and Tiger Protection Act.

This funding was secured last year as a result of efforts by Congressman JACK FIELDS and several members of the Congressional Sportsmen's Caucus. This funding is vitally important to the international efforts to rehabilitate the populations of these two species of animals.

I believe the question we are facing today goes much deeper than whether or not the U.S. should fund efforts to protect a foreign species. The question we are facing today is whether or not the United States should force unfunded mandates on other governments.

Until last year, the United States had mandated Rhino and Tiger management principles to countries in Africa without providing funding for those mandates. While we are at it, I might as well mention what those mandates are.

As a result of domestic laws such as the Endangered Species Act, the United States has unilaterally dictated to African countries what management principle they can or cannot use. Controlled sport hunting in many countries is the best and/or only way of producing revenues for the management of their domestic wildlife. We have told these countries that they cannot use hunting, which is a scientifically proven and successful wildlife management tool. Because of our unilateral threats, these countries have no way to fund their wildlife management without our support.

We have no more right to send an unfunded mandate to a foreign country

than we do in sending an unfunded mandate to the State of Oklahoma or the city of Chicago.

Vote no against the Neumann-Stenholm amendment.

Mr. NEUMANN. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey [Mr. ANDREWS].

(Mr. ANDREWS asked and was given permission to revise and extend his remarks.)

Mr. ANDREWS. Mr. Chairman, I thank my friend the gentleman from Wisconsin for yielding me the time.

Mr. Chairman, I rise in support of the amendment proposed by my friends the gentlemen from Wisconsin and Texas. I do not doubt for one moment the importance of wildlife management and preservation. I do not doubt for one moment the sincerity of the commitment of the Members who oppose this amendment. But I do not doubt for one moment that a huge majority of our constituents if asked to review our priorities in this case would want us to vote for the Neumann-Stenholm amendment.

The test that I think Members ought to use here, Mr. Chairman, is what I call the supermarket checkout line test. If this Saturday, Mr. Chairman, a Member were home in his or her own district and had to stand in the supermarket checkout line on Saturday morning and look one of their neighbors in the eye and explain to them why they had voted to spend their tax money on this program at a time when we are considering ways to spend less on reading teachers in the public schools, on the acquisition of public lands, on public health research in this country, I do not think there are many of us, Mr. Chairman, who could do that.

There is sincerity in this program, but there is not priority. It is a relatively small number, but it is a relatively big principle.

I urge my colleagues to support the Neumann-Stenholm amendment.

Mrs. ROUKEMA. Mr. Chairman, will the gentleman yield?

Mr. ANDREWS. I yield to the gentleman from New Jersey.

Mrs. ROUKEMA. Mr. Chairman, I want to take this opportunity to associate myself with the gentleman's remarks. I think he has hit the nail right on the head, if not the rhino, that this is not a priority, particularly when we have cut back so dramatically on open land in our own State and our own Nation. I thank the gentleman for his comments.

Mr. ANDREWS. I thank my friend the gentlewoman from New Jersey, and I urge a "yes" vote on the amendment.

Mr. NEUMANN. Mr. Chairman, I reserve the right to close. Do I have the right to close?

The CHAIRMAN. The gentleman from Washington [Mr. DICKS] as a representative of the committee has the right to close.

Mr. NEUMANN. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN. The gentleman from Wisconsin [Mr. NEUMANN] is recognized for 2 minutes.

Mr. NEUMANN. Mr. Chairman, I would just like to reiterate that this is somewhat of a symbolic vote, a message to the people of the United States that we are serious about changing the spending practices here. No one that I have talked to in this questions the importance of maintaining and preserving endangered species, preserving rhinos, elephants and tigers. No one is questioning that whatsoever. What is being questioned here is whether U.S. tax dollars should be used for that purpose or whether private funding should be doing that. Our children and our grandchildren are counting on this Congress to change the practices of the past, to zero out programs that we can no longer spend money on. If we had the money to spend on this program, it might be a fine program. We do not. Our checkbook is overdrawn. It is time we stopped spending money in this country that we do not have.

I would just close with a statement to reiterate, that it is time that the people in this Congress start sending a loud and clear message to the people of this country that the U.S. Government cannot keep doing for others what others ought to be doing for themselves.

Mr. Chairman, I yield back the balance of my time.

□ 1830

Mr. DICKS. Mr. Chairman, I would just say, again, I think the Speaker hit the right tone this evening. This is a very modest amount of money to help preserve the African elephant, the rhinoceros and the tiger. The gentleman from California [Mr. BEILENSON] I think, made a very impassioned plea.

I would urge the gentleman from Wisconsin [Mr. NEUMANN], I would hope in deference to the speaker, that he would withdraw his amendment. But if not, I would hope we could have a voice vote, vote this amendment down and follow the wise counsel of both the gentleman from California [Mr. BEILENSON] and the Speaker.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin [Mr. NEUMANN].

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. STENHOLM. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Evidently a quorum is not present.

Mr. STENHOLM. Mr. Chairman, I withdraw my point of no quorum.

The CHAIRMAN. The Chair announced that pursuant to clause 2, rule XXIII, he will reduce to a minimum of five minutes the period of time within which a vote by electronic device if ordered, will be taken on the pending question following the quorum call.

Mr. DICKS. Mr. Chairman, I ask unanimous consent that we not have a quorum call and we go immediately to a recorded vote.

The CHAIRMAN. The Chair has already announced the absence of a quorum.

The Chairman announced that pursuant to clause 2, rule XXIII, he will vacate proceedings under the call when a quorum of the Committee appears.

Members will record their presence by electronic device.

The call was taken by electronic device.

QUORUM CALL VACATED

The CHAIRMAN. One hundred Members have appeared. A quorum of the Committee of the Whole is present. Pursuant to clause 2, rule XXIII, further proceedings under the call shall be considered as vacated.

The Committee will resume its business.

RECORDED VOTE

The CHAIRMAN. The pending business is the demand of the gentleman from Texas [Mr. STENHOLM] for a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 132, noes 289, not voting 13, as follows:

[Roll No. 503]

AYES—132

Allard	Hayes	Payne (NJ)
Andrews	Hayworth	Payne (VA)
Army	Heineman	Petri
Baker (CA)	Herger	Pickett
Barton	Hilleary	Poshard
Browder	Hilliard	Quinn
Brownback	Hobson	Radanovich
Bryant (TN)	Hoekstra	Ramstad
Bunning	Holden	Riggs
Burr	Hostettler	Roemer
Camp	Johnson, Sam	Rogers
Canady	Jones	Rohrabacher
Chabot	Kasich	Roukema
Chambliss	Kennedy (MA)	Royce
Chapman	Kennedy (RI)	Salmon
Chenoweth	King	Sanford
Christensen	Klink	Saxton
Coble	Klug	Scarborough
Coburn	Kolbe	Seastrand
Collins (GA)	LaHood	Sensenbrenner
Condit	Largent	Shadegg
Cooley	Latham	Shuster
Costello	Lewis (KY)	Sisisky
Cramer	Lincoln	Skelton
Crane	Lipinski	Smith (MI)
Crapo	LoBiondo	Smith (NJ)
Cubin	Lucas	Smith (WA)
Danner	Manzullo	Souder
Dickey	Martini	Stearns
Doyle	Mascara	Stenholm
Duncan	McHale	Stockman
Dunn	McHugh	Stump
Emerson	McInnis	Tanner
Ewing	McIntosh	Tate
Fields (LA)	McNulty	Taylor (MS)
Ford	Metcalf	Thornberry
Franks (NJ)	Mfume	Thurman
Funderburk	Minge	Tiahrt
Ganske	Montgomery	Traficant
Graham	Myrick	Watt (NC)
Hall (TX)	Nethercutt	Weldon (FL)
Hancock	Neumann	White
Hansen	Norwood	Young (FL)
Hastings (WA)	Parker	Zimmer

NOES—289

Abercrombie	Ballenger	Bateman
Ackerman	Barcia	Becerra
Archer	Barr	Beilenson
Bachus	Barrett (NE)	Bentsen
Baesler	Barrett (WI)	Bereuter
Baker (LA)	Bartlett	Berman
Baldacci	Bass	Bevill

Bilbray	Brown (CA)	Brown (FL)	Brown (OH)	Bryant (TX)	Bunn	Burton	Buyer	Callahan	Calvert	Cardin	Castle	Chrysler	Clay	Clayton	Clement	Clinger	Clyburn	Coleman	Collins (IL)	Combest	Conyers	Cox	Coyne	Creameans	Cunningham	Cunningham	Davis	de la Garza	Deal	DeFazio	DeLauro	DeLay	Dellums	Deutsch	Diaz-Balart	Dicks	Dingell	Dixon	Doggett	Dooley	Doolittle	Dornan	Dreier	Durbin	Edwards	Ehlers	Ehrlich	Engel	English	Ensign	Esch	Evans	Everett	Farr	Fattah	Fawell	Fazio	Filner	Flake	Flanagan	Foglietta	Foley	Forbes	Fox	Frank (MA)	Franks (CT)	Frelinghuysen	Frisa	Frost	Furse	Gallegly	Gejdenson	Gekas	Gephardt	Geren	Gibbons	Gilchrest	Gillmor	Gilman	Gonzalez	Goodlatte	Gooding	Gordon	Goss	Gunderson	Gutierrez	Gutknecht	Hall (OH)	Hamilton	Harman	Hastert	Hastings (FL)	Hefley	Hinche	Hoke	Horn	Houghton	Hoyer	Hunter	Hutchinson	Hyde	Inglis	Istook	Jackson-Lee	Jacobs	Jefferson	Johnson (CT)	Johnson (SD)	Johnson, E.B.	Johnston	Kanjorski	Kaptur	Kelly	Kennelly	Kildee	Kim	Kingston	Kleccka	Knollenberg	Shays	Skaggs	Skeen	Slaughter	Smith (TX)	Spence	Spratt	Stark	Stokes	Studds	Stupak	Talent	Taylor (NC)	Tejeda	Thomas	Thompson	Thornton	Torkildsen	Torres	Torricelli	Towns	Tucker	Upton	Velazquez	Vento	Visclosky	Vucanovich	Waldholtz	Walker	Walsh	Wamp	Ward	Waters	Watts (OK)	Waxman	Weldon (PA)	Weller	Whitfield	Wicker	Williams	Wilson	Wise	Wolf	Woolsey	Wyden	Wynn	Yates	Young (AK)	Zeliff
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NOT VOTING—13

Bono	Greenwood	Solomon
Collins (MI)	Hefner	Tauzin
Fields (TX)	Martinez	Volkmer
Fowler	Moakley	
Green	Reynolds	

□ 1856

Ms. HARMAN, Ms. PELOSI, and Mr. HOKE changed their vote from "aye" to "no."

Messrs. ZIMMER, STUMP, EWING, CRAMER, HERGER, SALMON, SANFORD, STEARNS, and Ms. DUNN changed their vote from "no" to "aye." So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mrs. FOWLER. Mr. Chairman, on rollcall No. 503, I was absent due to the death of a friend.

Had I been present, I would have voted "no."

AMENDMENT OFFERED BY MR. UNDERWOOD

Mr. UNDERWOOD. Mr. Chairman, I offer an amendment.

The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. UNDERWOOD: Page 37, insert before the colon at the end of line 7 the following: ", and \$4,580,000 for impact aid for Guam under section 104(e)(6) of Public Law 99-239".

Mr. KOLBE. Mr. Chairman, if the gentleman will yield, may I inquire, if I might, about the possibility of a unanimous consent agreement? Would the gentleman be willing to limit the time on this to 10 minutes on a side?

Mr. YATES. If the gentleman will yield, until we hear from the leadership, we are not going to agree.

Mr. OBEY. Mr. Chairman, will the gentleman yield to me to explain to the membership what the situation is?

Mr. Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman from Guam [Mr. UNDERWOOD] controls the time. He has an amendment pending before the body. The gentleman from Guam has 5 minutes.

Mr. OBEY. Mr. Chairman, could I ask the gentleman from Guam [Mr. UNDERWOOD], with the understanding that he would be given 1 additional minute of time, if he would yield to me so I could respond to the gentleman from Arizona [Mr. KOLBE] in a constructive way?

Mr. UNDERWOOD. I yield to the gentleman from Wisconsin.

The CHAIRMAN. Without objection, the gentleman from Guam [Mr. UNDERWOOD] has 1 additional minute.

There was no objection.

Mr. OBEY. Mr. Chairman, I think Members should simply understand there are discussions going on right now between the leadership on both sides of the aisle to try to find some way to get out of here at a reasonable time tonight. We have been asked, until those discussions are over, if we could just continue going in the regular order to keep things as calm as possible, and I would hope that shortly we could get an agreement on time for the remainder of the title.

Mr. KOLBE. If the gentleman from Guam would yield to me to respond,

and I would certainly ask unanimous consent for time if he needs more time, would the gentleman yield?

Mr. UNDERWOOD. I yield to the gentleman from Arizona.

Mr. KOLBE. Mr. Chairman, I understand those discussions are going on. I was just trying to expedite what I thought was an amendment we did not need to spend an awful lot of time on, so we could continue moving on.

Mr. OBEY. So as not to inflame people's tempers on arguments over time limits at this point.

The CHAIRMAN. The gentleman from Guam [Mr. UNDERWOOD] is recognized for the remainder of his time.

Mr. UNDERWOOD. Mr. Chairman, I present this amendment. It is designed to reprogram funds to reimburse the government of Guam for expenditures on behalf of immigrants from three newly created independent nations in 1986.

By way of background, three countries were created out of the former trust territory of the Pacific Islands, and the United States negotiated a treaty with each government, allowing unrestricted immigration to the United States.

In 1986, three new nations were created out of the trust territory of the Pacific Islands, and unrestricted immigration was allowed into the United States. These are the only countries of the world that have that right, and by virtue of Guam's proximity, most of the immigration has been to the island of Guam, so that today approximately 6 percent of our population is composed of these immigrants.

At the same time that these nations were created out of congressional action in recolonizing the trust territory, Mr. Chairman, an obligation was made to the people of Guam that any educational and social costs attendant to this in-migration would be paid for. In the course of over 8 years some \$70 million has been expended by the government of Guam on behalf of these immigrants, and to date only \$2½ million has been spent. My amendment requests \$4½ million, and this is in accordance with an administration request earlier this year. It is bipartisan in nature, and it is supported by the chairman of the Subcommittee on Insular Affairs and Native Americans.

□ 1900

Mr. GALLEGLY. Mr. Chairman, will the gentleman yield?

Mr. UNDERWOOD. I yield to the gentleman from California [Mr. GALLEGLY].

(Mr. GALLEGLY asked and was given permission to revise and extend his remarks.)

Mr. GALLEGLY. Mr. Chairman, the gentleman from Guam [Mr. UNDERWOOD] is correct. As the chairman of the subcommittee, I stand in strong support of the gentleman's amendment. It is fair.

Mr. GILMAN. Mr. Chairman, will the gentleman yield?

Mr. UNDERWOOD. I yield to the gentleman from New York [Mr. GILMAN], chairman of the Committee on International Relations.

(Mr. GILMAN asked and was given permission to revise and extend his remarks.)

Mr. GILMAN. Mr. Chairman, I rise to support Mr. Underwood's amendment to provide Guam with immigration impact assistance.

This amendment would provide \$4.58 million to assist Guam in meeting the demands of new immigrants to have settled in Guam. I understand the amendment is within the budgetary caps, and seeks to carry out a program authorized by Public Law 99-239 the act which set forth the Compact of Free Association between the United States and the Federated States of Micronesia and the Republic of the Marshall Islands.

Given our recognition of these States formally in 1986, it makes sense for them to take part in determining the priorities for federally funded programs. Accordingly, I urge support for Mr. UNDERWOOD's amendment.

Mr. MINETA. Mr. Chairman, will the gentleman yield?

Mr. UNDERWOOD. I yield to the gentleman from California.

(Mr. MINETA asked and was given permission to revise and extend his remarks.)

Mr. MINETA. Mr. Chairman, I rise in strong support of the Underwood amendment and urge my colleagues to join me in voting to uphold the commitment of the Federal Government to the citizens of Guam.

In adopting the 1986 Compact of Free Association with the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau, the Federal Government made a promise that Guam would be reimbursed for the costs associated with unrestricted immigration from the Freely Associated States.

Unfortunately, that promise was not kept until last year when the Congress appropriated \$2.5 million for fiscal year 1995. Having just begun to live up to our promises, we should not back out now.

Mr. Chairman, we have all too often overlooked our responsibilities and our promises to the peoples of our Pacific Islands Territories.

By adopting the amendment offered by the gentleman from Guam, we can take a small step toward reversing that record.

It is a step well worth taking.

I urge my colleagues to join me in voting "aye" on the Underwood amendment.

Mr. MILLER of California. Mr. Chairman, will the gentleman yield?

Mr. UNDERWOOD. I yield to the gentleman from California [Mr. MILLER], the ranking member of the Committee on Resources.

Mr. MILLER of California. Mr. Chairman, I want to strongly support this amendment offered by the gentleman

from Guam [Mr. UNDERWOOD] and again tell the House that this is neutral. He has taken the money that we have saved by closing—a portion of the money from OTIA, and it is a very important amendment, badly needed, and I hope the House will support it.

Mr. UNDERWOOD. Mr. Chairman, I would like to clarify this amendment takes advantage of savings made earlier by the amendment offered by the gentleman from California [Mr. GALLEGLY] in which the Office of Territorial and International Affairs was closed and in which technical assistance money is reprogrammed from other territories. I have the full support of all the Territorial Delegates. I have the full support of all the Territorial Governments on this issue.

Mr. Chairman, it is important to understand that this is really the quintessential unfunded mandate. What we have here is a series of unrestricted immigration. It is important to understand that there are only three countries in the world where its citizens can come into the country without a passport, without a visa, and they can come into any area and work without any restrictions whatsoever, and this happens in the case of Guam.

In order to make the comparison, in the past 8 years we have had 8,000 immigrants come into Guam. This represents approximately 6 percent of our total population. In comparison to the United States this would approximate 15 million people.

I urge support of this. I say to my colleagues, if you are interested in sending a message about unfunded mandates, if you're interested in sending a message about meeting failed Federal commitments on local communities, this is a good way to make that statement.

Mr. KOLBE. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I will not take the entire 5 minutes, but I will rise in support of this amendment. We have previously with the Gallegly amendment made a reduction in some of the funding so that the dollars are available for this purpose, and as has been pointed out, there has been a commitment that has been made to fund in this compact this aid. This has been an informal agreement that has been made through the years between the Territory, and the administration, and this Congress, and for that reason I do support the funding.

I would, however, note that in doing this we do use all the remaining dollars from the amendment that was struck and that this puts us right at our total allocation.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. KOLBE. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, I am perfectly willing on the part of our side to accept this amendment if the gentleman is willing to accept it, and I would urge the committee to accept this amendment.

Mr. KOLBE. Mr. Chairman, I would urge support of the amendment.

Mr. FALEOMAVAEGA. Mr. Chairman, I move to strike the requisite number of words.

(Mr. FALEOMAVAEGA asked and was given permission to revise and extend his remarks.)

Mr. FALEOMAVAEGA. Mr. Chairman, I rise today in strong support of Congressman UNDERWOOD's amendment to reallocate funding to the Government of Guam to compensate the financial burden placed on the local government by actions of the Federal Government.

In 1986, by public law the Congress adopted the Compact of Free Association between the United States and the Governments of Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau. This compact exempts citizens of the freely associated states from meeting certain U.S. passport, visa, and work permit requirements, and allows them to reside, work, and attend school in the United States and its territories. Guam and the other territories were not involved in these discussions.

Because Guam is the closest United States soil to the Freely Associated States, many indigent citizens of these states have migrated to Guam, and the Government of Guam has been required to expend in excess of \$70 million to provide for the educational and social services of these people. While the United States Government has agreed in principle to assist the Government of Guam with these expenses, to date, only \$2.5 million has ever been appropriated.

In fiscal year 1996, the administration proposed \$4.5 million for this purpose, but the Appropriations Committee did not include that amount in its bill. As the gentleman from Guam has been saying since he came to Washington, this is a \$70 million unfunded mandate. An unfunded mandate we can easily correct with the savings approved in the Gallegly amendment. In effect this is simply a reallocation of a portion of these funds, and the bill will remain below the subcommittee's 602(b) allocation.

I urge my colleagues to provide the funding for this prior U.S. commitment and vote in favor of the Underwood amendment.

Mr. ABERCROMBIE. Mr. Chairman, I move to strike the requisite number of words.

(Mr. ABERCROMBIE asked and was given permission to revise and extend his remarks.)

Mr. ABERCROMBIE. Mr. Chairman, I speak in favor of the amendment, and the remarks of the Delegates from Guam and American Samoa would be as my own.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Guam [Mr. UNDERWOOD].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. HUTCHINSON

Mr. HUTCHINSON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. HUTCHINSON: Amendment No. 54: On page 16, line 25, delete \$37,934,000 and insert \$34,434,000.

Mr. HUTCHINSON. Mr. Chairman, I commend the work that the committee has done. I think it is an excellent Interior appropriation bill. I think this amendment is important.

Mr. Chairman, the amendment that I am offering today is based on the principle that the Government, especially in this time of severe budget constraints, should not and cannot financially support every interest group, particularly those which have demonstrated the clear ability to be self-sufficient.

My amendment would eliminate the Federal subsidy for the National Trust for Historic Preservation and save the taxpayers \$3.5 million.

Now let me emphasize that my intention is not to abolish the Trust or the many good programs that they carry out—but to remove a totally unnecessary Federal subsidy.

The Trust is a congressionally chartered organization established by an act of Congress in 1949. Its original primary mission was to preserve buildings, sites, and objects of historical significance, but since this time, the Trust has acquired 18 such historic properties. But today, the Trust only allocates about 20 percent of their annual \$33 million budget to this primary mission. In fact, Mr. Chairman, the Trust has adopted significant administrative barriers which substantially preclude them from carrying out their primary mission. The Trust does not accept new properties unless they are fully endowed to cover all future operating expenses.

The other 80 percent of their budget, according to their 1949 charter, goes to "facilitate public participation in the preservation of historic sites, buildings and objects."

Now apparently, my colleagues, under this category lobbying expenses of over three-quarters of a million dollars is included, lobbying expenses on things like this publication put out by the National Historic Trust lobbying against the free enterprise system, what most of us believe in. They have claimed that they do not engage in lobbying, at least that they do not use Federal expenditures for that, but it is used at least to utilize their private funds in order to lobby State legislatures, local and Federal level. In one case they sent bulletins to all their Virginia members urging them to write their State senators, write their delegates, to oppose pending legislation. They even provided sample letters as to what should be said. They have lobbied repeatedly against the free enterprise system and have waged a virtual war on the mass retailing industry.

Also under this category falls litigation expenses for the Trust. In recent years, the Trust litigation department has had a budget of \$700,000. In the last 5 years, the Trust has entered over 30 lawsuits against the Federal Government. They have entered suits against the FAA, State Department, Army Corps—and even the Justice Depart-

ment and Interior Department, which by law sit on their board of trustees.

The Trust has also managed to come up with \$233,000 annually to pay the salary of the organization president.

I ask my colleagues, "Does an organization that pays almost a quarter of a million dollars for their president need a Federal subsidy?"

Six positions at the Trust paid salaries in excess of \$100,000 in fiscal year 1994 for a total of \$773,482—50 percent of this was charged to the Federal appropriation. In fiscal year 1995, there are five positions paid in excess of \$100,000 and \$333,362 is being charged to the Federal appropriation.

How do we justify a Federal subsidy for an organization that can afford this?

The bottom line here is that the Government cannot afford to subsidize groups with a proven track record of being able to support themselves. Over the last 5 years, revenues have exceeded Trust expenses every year and have contributed to the Trust developing a lucrative portfolio of assets which now exceeds \$50 million. The private funding base, which already constitutes over 80 percent of the funding for the Trust, would only need to be slightly expanded to cover any shortfall.

In November, the elections demonstrated that the American people are clearly disillusioned with the direction the country is taking. We need to restore faith in our Government by honoring our commitment to the American people to reduce unnecessary spending.

Now, Mr. Chairman, I say to my colleagues, You're going to hear that the issue is the mainstream program. It is not. It is not. How can cutting \$3½ million out of the budget of over \$33 million possibly endanger or jeopardize that program? It jeopardizes litigation, lobbying, entertainment, and high salaries.

My colleagues will hear that the issue is historic preservation. It is not. It is not historic preservation, it is not mainstream, it is whether we can afford to subsidize well-endowed organizations.

Mr. Chairman, let us return the Trust to the same status that it enjoyed for nearly 20 years when it existed without the benefit of an annual Federal subsidy in realization that we must restrict Federal expenditures to our country's most essential needs. I urge support for the Hutchinson amendment.

Ms. MCCARTHY. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Arkansas [Mr. HUTCHINSON].

Mr. Chairman, the National Trust is an American success story. In over 1,000 communities across this great Nation it has worked to help revitalize our downtowns, our Main Streets, and throughout the land since 1980, Mr. Chairman, it has been a very real positive effort in 39 of our States, creating

over 23,000 new businesses, over 85,000 new jobs, over 33,000 building rehabilitation projects, and \$3.6 billion in new investment and actual physical improvements. Every dollar spent by a local Main Street organization leverages over \$25 from other sources.

Mr. Chairman, the committee chose to reduce the appropriation by one-half and to phase out Federal involvement. This amendment would abruptly end one of America's success stories.

□ 1915

It is untimely to do so in such a success story. I, who do support efforts for fiscal responsibility and balancing our budget, do not want to encourage that membership to abandon our downtowns, to abandon our local communities. I urge my colleagues to oppose this amendment.

Mr. MILLER of California. Mr. Chairman, will the gentlewoman yield?

Ms. McCARTHY. I yield to the gentleman from California.

Mr. MILLER of California. Mr. Chairman, I just want to associate myself with the gentlewoman's remarks, and to thank her, because I think that we are picking up on a single issue over here which may have been in fact nothing more than a mistake, and trying to jeopardize the entire program for the Historic Trust. In fact, as the gentlewoman has pointed out, this has been a program that has been used and leveraged in our communities to save in many cases decaying parts of our community, which has brought new investments to our community, and has also preserved the Historic Trust of this Nation, the assets of this Nation, which we want to bring into the future for our children and grandchildren. I want to thank the gentlewoman for her support in opposition to this amendment.

Ms. McCARTHY. Mr. Chairman, reclaiming my time, it is another good example of a local and Federal partnership, and again where those dollars leveraged have been a great boon to the communities. So I do urge defeat of the amendment.

Mr. KOLBE. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, with some reluctance I rise to oppose the Hutchison amendment. This was thoroughly debated in the committee, as well as a lot of discussion in the subcommittee. As has already been pointed out, we have made a very substantial reduction in the amount of funding for the National Trust for Historic Preservation. We have essentially reduced it 50 percent, from the \$7 million that was there, to \$3.5 million, and we have indicated our intention to reduce that funding to zero in the year after this. We have suggested there would be no funding in fiscal year 1997.

But, as with several of the agencies and programs that I think that the Republican majority has been talking about eliminating, we do recognize that there are many valuable things that are done here, and that we need to

give some time for the changes to get made and for them to find alternatives to continue to do the work, which I think most of us would support, or at least many of the things that the National Trust for Historic Preservation does.

Let me just mention a couple. There are very few Members of this body that have not been touched one way or another by the Main Street program. I have had it operate in several of my communities. It has done a lot, I think, to restore and revitalize some historic downtowns in some smaller communities in my district. The Trust makes grants and loans in case after case that help for this kind of program for the Main Street program.

The Federal funds help to leverage the private local dollars, and the grant funds also enable the National Trust to support the historic preservation work of local communities, helping preservation groups to obtain needed technical assistance.

Mr. Chairman, the point of all of this is I believe this is a function which we can turn over to the private sector, but I do think we need to give it another year to do that. I think the reduction of 50 percent, with the clear understanding that we are not going to fund it in the years beyond that, is appropriate. This was the decision of the committee, the full committee, and that is the reason that I would oppose this and urge my colleagues to oppose this.

Mr. HUTCHINSON. Mr. Chairman, will the gentleman yield?

Mr. KOLBE. I yield to the gentleman from Arkansas.

Mr. HUTCHINSON. Mr. Chairman, I have a couple of questions. One is, does the gentleman approve of the fact that the Trust has filed over 30 lawsuits against various agencies of the Federal Government in the last 5 years, and, if that is the case, and it is, that in fact the cost to the Federal Government and the American taxpayer is not just the \$3.5 million Federal subsidy, but all of the litigation costs that we have to pay in order to defend the Federal agencies they are suing?

Mr. KOLBE. Reclaiming my time, without commenting on the specifics of the litigation because I am not familiar with each of them, my answer to that would be no. What we seek to do by this reduction of 50 percent and terminating it in the second year is to give it an orderly time to phase out what I just mentioned are, I think, the worthwhile parts of this program, to retain that.

Mr. HUTCHINSON. If the gentleman will yield further, would it not follow that if the \$3.5 million which we are subsidizing the Trust could be achieved by reducing a few executive salaries that exceed \$233,000, if by reducing the expenditures on lobbying and entertainment and catering, which exceed three-quarters of a million dollars, and this lobby sheet has been passed out all afternoon out front, would it not make

a lot more sense for the reductions in those kind of expenditures to pick up the \$3.5 million subsidy, and in fact there would be no loss at all in the programs or worthwhile efforts of the Trust?

Mr. KOLBE. Mr. Chairman, reclaiming my time, I would certainly trust that in a 50 percent reduction, that the National Trust for Historic Preservation would indeed be looking for those kinds of reductions, to reduce those things first. We have had considerable discussion in our subcommittee about this. We have also had considerable discussion with the leadership of the National Trust, and expressed our deep concern about the salaries that have been paid.

Mr. KINGSTON. Mr. Chairman, will the gentleman yield?

Mr. KOLBE. I yield to the gentleman from Georgia.

Mr. KINGSTON. Mr. Chairman, in response to Mr. HUTCHINSON's question, is it not true that the Historic Trust is working to reform itself from within already, and they have offered a plan to somewhat go private and change the way they are doing business, and in that regard they are moving towards what Mr. HUTCHINSON wants, but probably not at the speed he wants, but they are not sitting there trying to preserve status quo?

Mr. KOLBE. Mr. Chairman, reclaiming my time, I appreciate the comment that the gentleman has made. The National Trust has, indeed, even before our subcommittee's action, had started work on a 5-year plan for eliminating Federal funding, and what we are doing is insisting we are going to speed it up slightly, and that it will be done in the course of 2 years. I think that is a rather considerable change, and I think it is an orderly way to eliminate the Federal funding for the National Trust.

Mr. NEAL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I oppose the amendment. The proposal by the gentleman from Arkansas is unwise, and it is unwarranted. I rise in opposition to the Hutchison amendment and offer my support for the National Trust for Historic Preservation.

Since the Trust was chartered by this Congress in 1949, the Federal money allocated to the Trust has been effectively used as seed money and has nearly quadrupled through private donations. These funds help to finance a series of programs aimed at teaching communities revitalization and economic growth through preservation. These programs have proven to be tremendously successful, creating thousands of new jobs and businesses, and financing restoration and renovation projects in distressed communities throughout the country.

An excellent example of this work that the Trust has done would be found in the city of Northampton, Massachusetts, where the First Church of Northampton have duly received assistance. It has helped not only to support efforts to support the church, but also to

repair the stonework, to repair the roof, and to make the 117-year-old building fully accessible to the public.

In addition to being a place of worship, the church also houses several community groups and serves meals to the homeless and the needy. Now, thanks to the assistance offered by the Trust, the First Church can continue its contributions to the community in a sturdier and more accessible building.

The National Trust for Preservation is an example of a Federal program that works, and eliminating or curtailing its funding would be a terrible mistake. This program should not be eliminated; it should be imitated. Our country needs more cost effective programs like the National Trust for Historic Preservation.

Mr. Chairman, I urge my colleagues to oppose this proposal.

Anthony Lewis of the New York Times has said that we are rapidly becoming a nation without a memory. The Trust does not allow that to happen. Just as importantly, let me say this, if I can: I served as mayor of a good sized city, the 95th largest city in America, Springfield, MA. I fought with the preservationists time and again. You know what? They took me to court time and again, but at the end of the day their achievements far outweighed their shortcomings.

It is working. The Main Street program has restored thousands of homes across this country. It has renewed neighborhoods that were lifeless. It has brought Main Street, America back to viability.

Just as importantly, a great Republican initiative at the time, the historic tax credit, allowed people to use the Tax Code to rebuild Main Streets across this country. New England today has a complex that has changed in large measure due to the work of the National Trust for Historic Preservation.

It would be shortsighted tonight to go beyond what the committee has recommended. Let the Trust alone. It has succeeded. There are times when I have disagreed with it, but overwhelmingly, its work has been effective and successful.

Mr. Chairman, I hope that we will oppose the gentleman's amendment.

Mr. DOOLITTLE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to support the amendment of the gentleman from Arkansas [Mr. HUTCHINSON]. I think it is long overdue. I think why should we be paying taxpayer funds to support lawsuits being filed against the Federal Government, or any government, for that matter. It just does not make sense.

This Trust is a successful organization, obviously, by the size of its budget, by the fact that 80 percent of its funds come from non-Federal sources. We are in an era where we are trying to bring down our deficit. This is a small

but symbolic cut, but I think it is important to send this kind of a message.

This organization can stand on its own. I do not know why we would want to support or subsidize, if you will, an organization adding to the congestion of the courts, adding to the costs imposed upon individuals and businesses and families by bringing lawsuits against them.

I do not know why we would want to support an organization that has an extensive lobbying component. Obviously, if they are capable of funding that kind of a thing with 80 percent of non-Federal funds, they ought to just get off the Federal dole, get out of the trough. That time has ended. We have got some serious priorities to fund, and this ought to be one of the things that we certainly could cut.

By the way, I would just observe that when the president of this organization makes more than the President of the United States that would suggest to me that this organization can stand on its own.

Mr. Chairman, I think the gentleman from Arkansas [Mr. HUTCHINSON] has a great amendment, and I strongly urge its adoption.

Mr. KINGSTON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rarely am on the opposite side of issues with my friend the gentleman from Arkansas [Mr. TIM HUTCHINSON]. He is a great budget watchdog, a super friend of the taxpayers, but this time I find myself going against him. And yet I can say this, that you can vote against the Hutchinson amendment and still be a friend of the taxpayers, because as the committee has reported this bill, it still is in the 602(b) allocation which will move us to a balanced budget. This bill is a bill that is a cut and a reduction bill. Indeed, this program alone has been reduced by 50 percent.

I heard the gentleman from California speaking up on the peanuts. Let me tell you about farm programs and why people from the agriculture communities should listen to this. What we are doing on the Committee on Agriculture is we are saying to our farmer friends, change status quo. Your farm subsidy may be a good investment, there may be a reason for it, but we need to change status quo. The Committee on Agriculture is responding that way.

Well, these folks are doing the same way with historic preservation. They have taken a 50 percent cut, and they have come up with their own plan to reform themselves. In addition to that, keep in mind this is not a frivolous program. They have a statutory obligation under the National Historic Preservation Act. They are doing things which the Federal Government has mandated by law. If we do not like that law, we should change it. We cannot do that on an appropriations bill.

Keep in mind this: the previous speaker said we are forgetting our na-

tional heritage. One thing we are not doing though is forgetting our tourism. Tourism in 30 states is the top first, second, or third highest industry, the big top three economic industries there are.

In my district, Savannah, Georgia, one of the leading tourism centers of Georgia, people come because it is the largest historic preservation community or landmark community in the country. Brunswick, Georgia, has come a long way in the last five years because of the Main Street program.

These are economic investments. They are not things that are just preserving a building just because it is nice or aesthetically pleasing. This group works closely when a new building is proposed in an historic area. When there is a renovation that is going to take place in an historic area, where there is economic changes or growth in an historic area, they work with the community, with the local officials, with the planning boards, and so forth. This group is important to your community.

I would say this: I reluctantly hate to oppose the gentleman from Arkansas [Mr. HUTCHINSON], but you can oppose the Hutchinson amendment and still support a balanced budget, because the bill, as reported, does that.

□ 1930

Mr. VENTO. Mr. Chairman, will the gentleman yield?

Mr. KINGSTON. I yield to the gentleman from Minnesota.

Mr. VENTO. Mr. Chairman, I commend the gentleman and agree with his statement.

I, furthermore, think that the litigation that has brought is often sometimes necessary. It is the cutting edge of trying to define what the property rights are, what the covenants are, how we are going to proceed with this. And that differs in all 50 states. Frankly, we get by with very little dollars in the Historic Preservation Act.

The state historic preservation offices have little money coming from the Federal Government. We try to set national standards with regards to that so that fabric is consistent nationally.

They have done a very good job in this particular program. If you want to change it, fine. But give them a chance to do it. They have leveraged. They have completed their statutory mission. They are doing it today. Obviously, the fundraising and other activities they do, even the lobbying is set out there separately.

I worked very hard with them on, for instance, the establishment of a coin so that they could issue the Civil War coin. They stated their dollars and accurately, and part of these fundraising and other efforts obviously spill over into that. They are allocating it properly. I think they have done a good job. You have cut them deeply. I do not think we ought to eliminate it. This would be a real mistake.

Mr. KINGSTON. Mr. Chairman, the gentleman is correct. Let me ask the

gentleman one more question: Are there any other programs that you know of offhand in this Interior bill that are cut 50 percent?

Mr. VENTO. Well, there are some that are eliminated. I think that is a mistake. In cutting this, you are really forcing change at a rapid pace. We ought to give them an opportunity to survive so that we can fulfill the essential mission that we envision and that we all share in terms of cultural resource preservation.

Mr. KINGSTON. Mr. Chairman, 50 percent is a very significant cut.

Mr. HOUGHTON. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment.

Mr. Chairman, it is too bad that we really have to spend all this time on this particular amendment. I just do not know why we are even discussing this. This has such tremendous leverage. It had such impact. We have so many things to do in this Congress. To eat up time this way discussing something like this, I think it is too bad. But the reason I do stand up here, because I think it is important and it has got leverage.

Let me make sort of an autobiographical comment. I come from a small town. That town was dying. That town was resuscitated principally because of a grant from the National Trust for Historic Preservation.

That grant alone contributed at a minimum of \$100 in private funds to that \$1 that was given here. That is far in excess of many of the small-time programs. But that is what it was.

Main Street USA is struggling. The soul of a community is in downtown, small town America. This helps. There is no other fund like it.

I strongly oppose this particular amendment.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. HOUGHTON. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, I want to rise in strong support of what the gentleman has just said. I come from a community, Tacoma, in the State of Washington. And we did about the same thing. We restored a theater, the Pantages Theater, also our main train station in the community, Union Station, into a Federal courthouse. And I must tell you, it has done more to restore the spirit of that community and that downtown area. It has created jobs and it has made the city look a lot better.

This idea that somehow these partnerships between the Federal Government where we put in a very small amount of money and the private sector puts in a lot of money and a lot of good things happen because of it, that somehow that is wrong, I think that is ridiculous.

I applaud the gentleman for his statement, and I hope the House will remember, we have cut this program by 50 percent. We have listened to the

people and said, we are going to move this budget down. We had to do it. We had to cut more in this bill than I wanted to cut. But to say in one year we are going to take it from 7 million to zero, I think is just ridiculous. I hope that we will all vote down this not-well-thought out amendment.

Mr. HOUGHTON. Mr. Chairman, I would just like to say this, you take the coldest, hardest financial analyst or investment analyst and you say, you give me \$1 and I will create \$100 for you, it is not a bad return on your money.

Mr. DELAY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I understand the concerns of the gentleman from New York and the gentleman from Washington. But this agency, this organization, let us put it that way, it is a public/private organization because it receives public funds, got and raised its own fund for years, for years. They did not need Federal funds. They operated very well, like we have come to this Congress to try to make happen. They do not need this money.

Frankly, most of the people that belong to the National Trust for Historic Preservation are rich enough to write checks for the amount of money we are quibbling over here and take care of it and leverage it all they want to.

The point is, if we cannot do this, what are we going to do?

Mr. Chairman, I rise in very strong support of the amendment to eliminate the Federal subsidy for the National Trust for Historic Preservation. I offered the very same amendment during consideration of the fiscal year 1994 Interior Appropriations bill several years ago.

I'd like to commend the chairman of the Interior subcommittee for recognizing the questionable nature of the Federal subsidy for the Trust by cutting the appropriation in half and directing the Trust to figure out how to make up these funds in the private sector, as they won't be receiving any Federal funds next year. The question is, do we want to sink another \$3.5 million into this program—I submit that the American taxpayers do not.

The Trust was chartered by the Congress in 1949 to protect buildings, sites and objects significant in American history, but not suitable for inclusion in Federal trusteeship. However, only 20 percent of the Trust's budget goes toward administration of their 18 historic properties and the Trust does not accept any new properties unless they come fully endowed to cover all future operating costs.

The other 80 percent of their budget is allocated to activities which facilitate public participation in the preservation of historic sites, buildings and objects. These activities include extensive lobbying, regularly suing the Federal Government, organizing opposition to private property rights and what they call the greatest opponent to historic preservation, superstore sprawl.

These efforts are not activities taxpayers expect to be underwriting. Moreover, the Trust could do this work without tax dollars. The Trust has an extensive fundraising ability as well as dues paying members. Its budget has increased in the last 6 years and its portfolios of assets exceeds \$67 million. If this Congress can't find the intestinal fortitude to save tax dollars from being spent on a program which doesn't need it, I have serious doubts about our ability to ever balance the Federal budget.

I'm sure we're going to hear loud wails from opponents of this amendment about how the loss of Federal funds will threaten the Mainstreet program or other true preservation activities of the Trust. Such cries—no doubt prompted by lobbying from employees of the Trust—are simply an effort to allow the Trust to continue its elitist activities and to avoid prioritizing spending.

Let's look at how the Trust allocates its spending:

It pays its president a salary of over \$233,000;

Six positions at the Trust paid salaries in excess of \$100,000 in fiscal year 1994 charging \$385,000 of it to the Federal appropriation—in fiscal year 1995, five positions paid in excess of \$100,000 and \$333,000 is being charged to the American taxpayers;

In 1993, the Trust spent \$884,000 for lobbying, entertainment and catering;

In 1991, the Trust spent over \$700,000 on its legal department, which has entered over 30 cases against the Federal Government in the last 5 years.

The Trust also organizes numerous workshops and seminars. Perhaps the workshop that included the Eco Tour of the Boston Park Plaza hotel enabling participants to see an environmentally sound hotel that integrates environmental action into all daily decision making it an activity that could be cut out.

Likewise, perhaps organizing international trips such as the Red Sea Passage tour to Egypt and Jordan, described in the Trust materials as travel with fewer than 95 passengers aboard the splendid Regina Renaissance could be minimized.

Trust efforts like the Mainstreet program should be a top priority for the Trust. It is widely supported and good work is done through the program. To suggest that this would be the first to go if the Trust's budget is a couple million dollars less than this year is absurd. It's a matter of setting priorities and surely I've described many actives in which the Trust is involved that could be cut back or eliminated.

Day after day, we hear cries over the future of our children, of people who rely on Federal welfare and others in need and everyone asks the question, "where can we cut funding so these people don't get hurt." Well, this is a great place to start.

The Trust serves as a slush fund for the most wealthy and elite members in

every community to oppose development that offends their aesthetic tastes. A recent article critical of the Trust's efforts to prevent what they call public enemy number one—superstore sprawl—stated, WalMarts and similar stores may not be as quaint as Georgetown shops but they usually offer consumers more for less.

If in these days of fiscal crisis we can't face a program like the Trust and recognize that it's a luxury for a few, not a necessity for many, and discipline ourselves to put the money elsewhere, I fear for our ability to make the far tougher choices we have ahead of us.

Mr. DICKS. Mr. Chairman, I move to strike the requisite number of words, and I rise in very strong opposition to this amendment. The gentleman points out that the Trust has gone out and raised at least 80 percent of the money itself. I think the American people would be very pleased if they knew that every dollar that we have invested in the Main Street organization has been leveraged by \$24.46 of from other sources.

Now, what does the National Trust do? One of the major programs and one of the reasons I have always supported it is because of the Main Street program. What does it do? It works with communities to demonstrate how historic preservation can stipulate community revitalization and economic development. The National Trust, national Main Street program helps revive neglected and abandoned downtown commercial districts by providing local groups with organization, design, economic restructuring and marketing assistance.

Since 1980, Main Street has been active in over 1,000 communities in 39 States, creating over 23,000 new businesses, over 85,000 new jobs, over 33,000 building rehabilitation projects, and \$3.6 billion in new investment and actual physical improvements.

Now, I think, again, what is wrong with the Federal Government saying that as a nation we care about historic preservation and that we have certain historic buildings that we would like to see preserved? I think the American taxpayers would be pleased that they are making a small contribution to this very important effort.

I hope that we will remember now that the committee, run by the gentleman from Ohio [Mr. REGULA], our distinguished chairman, made a significant reduction in this program and that we are going to end it in a year. This is one group that came in and said we can be phased out over a period of time. But to come here now and breach the committee's action I think would be unwise.

So I urge that all of us on both sides of the aisle resoundingly defeat an amendment aimed at, I think, undermining historic preservation in this country, which the Trust has been at the forefront of and this Congress has

supported ever since the creation of the Trust.

Mr. WOLF. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I will be brief. I was not going to speak, but I rise in strong but reluctant opposition to the amendment by the gentleman from Arkansas [Mr. HUTCHINSON] and also the gentleman from Texas [Mr. DELAY]. Let me tell you why.

One, the committee has cut them by 50 percent already. Secondly, they have a plan to go private. Third is the good that the Trust has done on Main Street programs throughout the country. In the town of Winchester in my congressional district, the city of Winchester changed hands 72 times in the Civil War, 72 times. The Trust has been involved, and they have saved Civil War battlefields. The battle of Cedar Creek, which is the only battle in the Civil War that the North and South won the battle the same day, in the morning of the battle, the South won. After they finished winning, they stopped. Then Sheridan came down and then came back and attacked the South and they lost. There at Belle Grove at the Battle of Cedar Creek they have saved. They have done so many other things.

The Civil War battlefields, Montpelier, you go on and on. I think the committee has a reasonable thing. They cut them 50 percent. They are out of business federally next year. But to pull the rug out now I think would be a mistake. I strongly urge Members to vote "no" on the Hutchinson amendment.

□ 1945

Mr. MCINTOSH. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I will be brief. I would like to engage in a question with the author of this amendment. First, let it be said, I am a strong supporter of historical preservation. I think it is a good activity at the local level. I think as long as we protect private property rights, it is an appropriate level for local governments to be engaged in.

With regard to the Main Street program, Mr. Chairman, I would ask the author, is it his intention that this \$3 million cut in any way reduces funds available for that program?

Mr. HUTCHINSON. Mr. Chairman, will the gentleman yield?

Mr. MCINTOSH. I yield to the gentleman from Arkansas.

Mr. HUTCHINSON. I appreciate the question, Mr. Chairman. I would say to the gentleman that I also am a strong, strong supporter of the Main Street program. It affects 17 cities in the State of Arkansas, and it does a wonderful job and I fully support that. I would hope that the Trust would prioritize their funds so that program is not touched. We are talking about less than 10 percent of their operating budget.

Mr. Chairman, I would hope that what we would jeopardize would be

things like \$700,000 for the legal department of \$700,000 for lobbying, entertainment, and catering, that those would be the things that would be cut instead of good quality programs that are helping our cities like the Main Street program.

Mr. MCINTOSH. My vote on this, Mr. Chairman, and I think the issue here is whether we should have government-funded, taxpayer-funded lobbying. As I walked into the Chamber earlier today, I was handed a sheet of paper that urged me to vote against this amendment, because one of the valuable things that the National Trust did was lobby with taxpayer dollars.

I disagree with that in principal, Mr. Chairman. I think it is wrong. I plan at a future date to have legislative activity to make it illegal for government grantees to be able to lobby government.

However, at this point, Mr. Chairman, I think the appropriate thing to do would be to support the amendment, to send a message that we do not want taxpayer-funded lobbying.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. MCINTOSH. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, the gentleman should know, I think he does know, that it is illegal to use government-provided funds for any lobbying. It has been in this bill for years. Maybe they used some private sector money, but the money they get from the Federal Government cannot be used for lobbying. Therefore, if the gentleman is going to vote no on that basis, he is making a big mistake.

Mr. MCINTOSH. Let me say, Mr. Chairman, I am aware that there are restrictions on the use of government funds to lobby. They are inadequate. They do not work. They clearly do not work when the supporters of this institution tell me that I should vote for \$3 million to them so they can continue to engage in lobbying. I think it is wrong. We do not need taxpayer lobbying.

Mr. GOODLATTE. Mr. Chairman, will the gentleman yield?

Mr. MCINTOSH. I yield to the gentleman from Virginia.

Mr. GOODLATTE. Mr. Chairman, I appreciate the gentleman yielding to me.

Mr. Chairman, I would ask the gentleman, is it not true that money is fungible; that the money coming into this organization from the Federal Government can be allocated based upon their needs as they take in other money from private sources? If they need additional funds for lobbying, they can take that from the private sector and use this money for legitimate purposes, so therefore the result of our funding them is to effectuate their ability to lobby the government?

Mr. MCINTOSH. Yes, that is correct, especially on the overhead costs, it is very easy to have government funds be fungible.

Mr. VENTO. Mr. Chairman, will the gentleman yield?

Mr. MCINTOSH. I yield to the gentleman from Minnesota.

Mr. VENTO. Mr. Chairman, that would hold true for anyone that got any Federal dollars, even tax expenditures, that they may use those dollars actually for lobbying. Therefore, we probably should not have any type of funds going to any private person that exercises First Amendment rights. Is that the position of the gentleman from Indiana?

Mr. MCINTOSH. Reclaiming my time, Mr. Chairman, I do not believe when you fail to tax somebody that you are giving them money. What you are doing is letting them keep their own money, so there is a fundamental difference there.

Mr. VENTO. I am talking about with regard to grants.

Mr. MCINTOSH. Let me say in closing, Mr. Chairman, I support this amendment.

Mr. GOODLATTE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I will be brief. I reluctantly rise in support of this amendment. I for many years was a Member of the National Trust for Historic Preservation. I joined it at Montpelier in Virginia. I strongly support their efforts to acquire historic properties like Montpelier and Belle Grove, and their efforts to support battlefields and other historic treasures in this country.

However, the role and the scope of the National Trust for Historic Preservation, unfortunately, in recent years, has taken a new direction that we can no longer as a Congress publicly fund, because the effect is to have money spent by the Federal Government to support litigation all over this country, to support lobbying efforts in this Congress, to affect rights of local governments and State governments, to affect private property owners' rights.

We have seen an example of it right in my State of Virginia in the past few years. The effort on the part of the National Trust for Historic Preservation to control land use planning in the entire northern Piedmont area of Virginia, 8,000 square miles, because they were opposed to the Disney project, is a tragic broadening of the scope of that organization. They should not be involved in that type of thing. If they choose to be involved, they should do so without the support of the Congress.

Mr. Chairman, when they go around the country filing lawsuits, as they intended to do in that case, and supporting lobbying efforts and other efforts, contrary to the interests of the people of the State of Virginia, certainly of the government of the State of Virginia, that is entirely wrong.

While I will continue to support their efforts to acquire historic properties, Mr. Chairman, and I think that is a very worthwhile goal, they, I think, have stepped over the line when they

attempt to use their organization and the funds of the organization to inject themselves in massive land use planning issues that should be left to the discretion of State and local governments. I strongly support this amendment.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. GOODLATTE. I yield to the gentleman from Washington.

Mr. DICKS. Does the gentleman think we should do away with the Historic Trust, Mr. Chairman?

Mr. GOODLATTE. I think the National Trust for Historic Preservation should make a choice. They should either make the decision that they are going to simply be involved in preserving individual historic properties, in which case there may be an argument to be made for Federal funds, or they should do what they are doing now, but do it only with private support, and not with the support of direct taxpayer subsidies.

Mr. DICKS. If the gentleman will continue to yield, I would suggest that we created the National Historic Trust, we told them to go out and preserve these important properties around the country which have historic heritage. Now we are saying "We are not going to give you any money." Is that not an unfunded mandate?

Mr. GOODLATTE. I would say to the gentleman, it is not an unfunded mandate. It is because they have changed the scope and mission of the organization when they have in recent years expanded beyond their original purpose, which was to acquire and protect individual properties, which I think is a fine idea, and have instead gone into the effort of trying to control development.

In this case, their efforts in Virginia were to say that we should not allow a development like Disney in the entire northern Virginia Piedmont, 8,000 square miles. There may be reasons not to support that, but those reasons should be left to the people of Virginia, and not to an organization funded with taxpayer dollars.

Mr. VENTO. Mr. Chairman, will the gentleman yield?

Mr. GOODLATTE. I yield to the gentleman from Minnesota.

Mr. VENTO. Mr. Chairman, I thank the gentleman for yielding.

I would ask, is it not essentially one of the ways of protecting these resources that we have charged them to in fact go into the courts, to implement the laws, to educate about the laws that are passed by the Commonwealth of Virginia, or by the State of Minnesota, or by the national government?

Mr. GOODLATTE. The people of the State of Virginia, through their elected representatives, have the right to decide this issue. We in the Federal Government should not be funding a rogue organization that is going to go in and offer a contrary view to the rights of the people of Virginia, or any other

State that faces this type of effort on the part of the Federal Government to fund land use planning contrary to the interests of people at the local or the State level. That is my position.

Mr. VENTO. If the gentleman will yield, was it not consistent with the laws of Virginia, the zoning codes and so forth, that they were trying to implement, educate, and to facilitate the process in terms of the goal of preserving this precious resource?

Mr. GOODLATTE. Reclaiming my time, Mr. Chairman, the Federal Government does not need to get involved in promoting and supporting the laws of the State of Virginia. The people of Virginia are perfectly capable of doing that on their own. When it is correct to historically preserve property, they should do so, and when it is not, they should not.

Mr. TORKILDSEN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, very briefly, we have group after group come up to us and say, "Do not cut my program." The National Trust has said they can live with the cut if it is phased in. We finally have a group that is saying "We will raise the money privately. Just do not take it all away from us at once. Do it on a phase-in basis." The bill before us is a phase-in. The gentleman's amendment seeks to eliminate funding all at once.

I rise in opposition to the amendment. I support historic preservation. I ask all my colleagues to support historic preservation and vote "no" on the amendment.

Mr. Chairman, I rise in opposition to the Hutchinson amendment to eliminate the National Trust for Historic Preservation.

The National Trust was chartered by Congress in 1940, and its mission was significantly expanded by the National Historic Preservation Act in 1966. Last year the National Trust received approximately \$7 million in federal funding. The National Trust has initiated many successful programs that leverage private sector investment in preservation projects at a very impressive rate.

Since 1980, the National Trust's Main Street program, which helps revive neglected and abandoned downtown commercial districts by providing local groups with organization, design, economic restructuring and marketing assistance, has been active in over 1,000 communities in 39 states, helping create over 26,000 new businesses, over 100,000 new jobs, and over \$5 billion in new investment. Every federal dollar spent through a Main Street program leverages over \$25.00 from other sources.

In Massachusetts, the Main Street program has been very successful. Forty-four communities in Massachusetts, including Beverly, Haverhill and Peabody, have participated, resulting in over \$66 million in cumulative reinvestment.

There are few federal programs as successful in leveraging private sector investment than the National Trust and its Main Street program. In light of this, \$3.5 million—a fifty-percent reduction from last year—is a modest amount of funding.

The National Trust for Historic Preservation is expanding its outreach to enable it to rely solely on private dollars. Elimination of the National Trust's appropriation today would jeopardize these privatization plans and will destroy its ability to carry out its congressionally mandated functions. In addition, eliminating these funds will cripple the National Trust's efforts to replace the current federal appropriation with private dollars.

Mr. Chairman, I urge my colleagues to vote "no" on the Hutchinson amendment and preserve our Historic Trust.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arkansas [Mr. HUTCHINSON].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. HUTCHINSON. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 129, noes 281, not voting 24, as follows:

[Roll No. 504]

AYES—129

Allard	Ewing	Ney
Archer	Fawell	Nussle
Army	Flanagan	Oxley
Baker (CA)	Franks (CT)	Petri
Ballenger	Funderburk	Pombo
Bartlett	Gekas	Porter
Barton	Goodlatte	Portman
Bilbray	Goodling	Ramstad
Billirakis	Gutknecht	Roberts
Boehner	Hancock	Rohrabacher
Bonilla	Hansen	Roth
Brownback	Hastert	Royce
Bryant (TN)	Hastings (WA)	Salmon
Bunning	Hayworth	Saxton
Burr	Herger	Seastrand
Burton	Hilleary	Sensenbrenner
Camp	Hoekstra	Shadegg
Canady	Hostettler	Shays
Chabot	Hunter	Shuster
Chambliss	Hutchinson	Smith (MI)
Chenoweth	Hyde	Smith (WA)
Christensen	Inglis	Solomon
Chryslers	Istook	Souder
Coble	Johnson, Sam	Stearns
Coburn	Jones	Stockman
Collins (GA)	Kasich	Stump
Combest	Kim	Talent
Condit	Klug	Tate
Cooley	Largent	Taylor (MS)
Cox	Latham	Thomas
Crane	Lewis (KY)	Thornberry
Crapo	Linder	Tiaht
Cremeans	Lipinski	Upton
Cubin	Manzullo	Visclosky
Cunningham	McCollum	Vucanovich
Danner	McInnis	Waldholtz
DeLay	McIntosh	Walker
Dickey	McKeon	Wamp
Doolittle	McNulty	Weldon (FL)
Dornan	Metcalf	Weller
Dreier	Moorhead	White
Duncan	Myrick	Young (FL)
Everett	Neumann	Zeliff

NOES—281

Abercrombie	Bishop	Calvert
Ackerman	Bliley	Cardin
Andrews	Blute	Castle
Bachus	Boehlert	Chapman
Baesler	Bonior	Clay
Barcia	Borski	Clayton
Barr	Boucher	Clement
Barrett (NE)	Brewster	Clinger
Barrett (WI)	Browder	Clyburn
Bass	Brown (CA)	Coleman
Bateman	Brown (FL)	Collins (IL)
Beilenson	Brown (OH)	Conyers
Bentsen	Bryant (TX)	Costello
Bereuter	Bunn	Coyne
Berman	Buyer	Cramer
Bevill	Callahan	Davis

de la Garza	Johnson, E. B.	Payne (VA)
Deal	Johnston	Pelosi
DeFazio	Kanjorski	Peterson (FL)
DeLauro	Kaptur	Peterson (MN)
Dellums	Kelly	Pickett
Deutsch	Kennedy (MA)	Pomeroy
Diaz-Balart	Kennedy (RI)	Poshard
Dicks	Kennelly	Pryce
Dingell	Kildee	Quillen
Dixon	King	Quinn
Doggett	Kingston	Radanovich
Dooley	Klecza	Rahall
Doyle	Klink	Rangel
Dunn	Knollenberg	Reed
Durbin	Kolbe	Regula
Edwards	LaFalce	Riggs
Ehlers	LaHood	Rivers
Ehrlich	Lantos	Roemer
Emerson	LaTourette	Rogers
Engel	Laughlin	Ros-Lehtinen
English	Lazio	Rose
Ensign	Leach	Roukema
Eshoo	Levin	Roybal-Allard
Evans	Lewis (CA)	Rush
Farr	Lewis (GA)	Sabo
Fattah	Lightfoot	Sanders
Fazio	Lincoln	Sanford
Fields (LA)	Livingston	Sawyer
Filner	LoBiondo	Schaefer
Flake	Lofgren	Schiff
Foglietta	Longley	Schroeder
Foley	Lowey	Schumer
Forbes	Lucas	Scott
Ford	Luther	Serrano
Fowler	Maloney	Shaw
Fox	Manton	Sisisky
Frank (MA)	Markey	Skaggs
Franks (NJ)	Martini	Skeen
Frelinghuysen	Mascara	Skelton
Frisa	Matsui	Slaughter
Frost	McCarthy	Smith (NJ)
Furse	McDade	Spence
Galleghy	McDermott	Spratt
Ganske	McHale	Stark
Gejdenson	McHugh	Stenholm
Gephardt	McKinney	Stokes
Geren	Meehan	Studds
Gibbons	Meek	Stupak
Gilchrest	Menendez	Tanner
Gillmor	Meyers	Taylor (NC)
Gilman	Mfume	Tejeda
Gonzalez	Mica	Thompson
Gordon	Miller (CA)	Thornton
Goss	Miller (FL)	Thurman
Graham	Mineta	Torkildsen
Gunderson	Minge	Torricelli
Gutierrez	Mink	Towns
Hall (OH)	Molinari	Trafficant
Hall (TX)	Mollohan	Tucker
Hamilton	Montgomery	Vento
Harman	Moran	Walsh
Hastings (FL)	Morella	Waters
Hayes	Murtha	Watt (NC)
Hefley	Myers	Waxman
Heineman	Nadler	Weldon (PA)
Hilliard	Neal	Whitfield
Hinchey	Nethercutt	Wicker
Hobson	Norwood	Williams
Hoke	Oberstar	Wilson
Holden	Obey	Wise
Horn	Olver	Wolf
Houghton	Ortiz	Woolsey
Hoyer	Orton	Wyden
Jackson-Lee	Owens	Wynn
Jacobs	Packard	Yates
Jefferson	Pallone	Young (AK)
Johnson (CT)	Paxon	Zimmer
Johnson (SD)	Payne (NJ)	

NOT VOTING—24

Baker (LA)	Hefner	Scarborough
Baldacci	Martinez	Smith (TX)
Becerra	McCrery	Tauzin
Bono	Moakley	Torres
Collins (MI)	Parker	Velazquez
Fields (TX)	Pastor	Volkmer
Green	Reynolds	Ward
Greenwood	Richardson	Watts (OK)

□ 2103

The Clerk announced the following pair:

On this vote:

Mr. Bono for, with Mr. Richardson against.

Mr. SCHAEFER changed his vote from "aye" to "no."

Messrs. METCALF, PORTMAN, and PORTER changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. OBEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I struck the last word so that I could try to make the Members of the House aware of what at least some of us have been trying to do to get people out of here at a reasonable time and to set reasonable time limits on this bill.

About 6:30, I was informed by representatives of the majority side that they would like to reach a time agreement on this bill and what was suggested to me is that we try to reach agreement to limit title I and all remaining amendments, finish that by roughly 9 o'clock this evening, go home, work over the weekend to set reasonable time limits for the remainder of the bill, and stick to those time limits when we come back.

So, after some negotiation, I agreed to that suggestion.

□ 2015

I was informed that at a higher level on that side of the aisle that offer was not acceptable and that, in fact, the intention was to keep us here regardless of what we did until about midnight tonight. I do not think honestly that most Members on either side of the aisle think that that is the rational thing to do. Everybody is tired, and it is well if we are making decisions when we are reasonably fresh, and I think we are also much kinder to each other when we are.

So we then went into negotiations to try to find some way to limit time. I then suggested to the majority leader that because I had been told that we had major amendments such as NEA, National Endowment for the Arts, the Humanities, the weatherization amendment, two major amendments on energy program funding, the Strategic Petroleum Reserve, another one on Indian education to replace the one that I offered, the best estimate was probably about 4½ to 5 hours of debate left if we got lucky. There were 20 amendments pending to that title. That is what I was told, that people expected to be offered. So they thought if we limited that to 4½ hours and then took the votes, that would be reasonable length of time.

There were then about 12 or 13 still alive possible amendments to the remainder of the bill. We thought we could compress that to maybe 2 hours in total.

So what I offered was a suggestion that we finish title I, get out of here by 9:30, by that time, and then set a time limit under which we would finish all remaining debate on Monday to title II, stack the votes so that they would occur immediately on Tuesday morning, finish the 2 hours of debate on Tuesday morning on the remainder of

the bill and get through at a reasonable hour.

I respect the desire of the majority leader to try to do it somewhat faster, but I do not know how, and so we offered that motion. It was considered for roughly an hour. Then an offer was made, which I think was represented as coming from the majority leader, to finish title I and they go to the NEA tonight. That would still mean we would be here until midnight tonight. I do not think that is reasonable.

I do think I am willing to do almost anything to get reasonable time limits on this bill, and if the majority would like, I would even be willing to take up immediately the Stearns amendment on NEA, and have a vote on that, if you want, 10 minutes' debate on each side, vote on that baby, and go home for this evening with the same kind of time limits that we have been talking about for the remainder of the bill. I do not know if they are perfect. But at least they end this bill and get us on to the next one.

So that is what I have tried to offer in good faith. I do not want to see Members stuck here until midnight tonight for no reasonable purpose when, without time agreements, we are going to continue to be debating title I all night.

So at the end of these remarks. I am going to make a unanimous-consent request to see if we can reach that agreement, and I would hope that we can get this done so that we can get this finished in a reasonably bipartisan fashion, and that is all I am trying to do.

Mr. LEWIS of California. Mr. Chairman, will the gentleman yield?

Mr. OBEY. I yield to the gentleman from California.

Mr. LEWIS of California. Mr. Chairman, I appreciate very much my colleague yielding.

When he was talking about this, and I did not get up earlier, the next amendment is an amendment that affects my district nonetheless, and I am very concerned about that.

But I have no problem whatsoever with some kind of a limitation on time. But I would hope that that would come in the context of our working reasonably together, and I would also hope that that would, beyond this amendment, take us to the point where maybe we could close down reasonably early.

Mr. OBEY. I would like to do the same thing. I have been advised that probably on that amendment it would probably take about 15 minutes a side. I do not know if that is true or not. I am willing to settle on any time limit on that amendment that we could agree on.

Mr. REGULA. Mr. Chairman, will the gentleman yield?

Mr. OBEY. I yield to the gentleman from Ohio.

Mr. REGULA. At this moment I guess I am the higher level. I have been looking around.

But anyway, I would like to make a suggestion to the gentleman. We have

four amendments left in title I. People have missed their airplanes.

If we could take these one at a time and get time limits, the gentleman from California [Mr. FAZIO], the gentleman from New Mexico [Mr. RICHARDSON], the gentleman from Vermont [Mr. SANDERS], and the gentlewoman from Idaho [Mrs. CHENOWETH], are what we show as being left in title I. If we could get time limits as we go like, for example, perhaps a half hour, whatever, I would like to reserve for our side on time limits, and I think, with a little bit of effort, we can get through these four. We will be finished with title I so when we come back we start on a new title.

Otherwise, if we do not finish title I, we are going to have another 20 amendments on Monday.

Mr. OBEY. That is what I had offered, but I was told by the majority leader he would prefer to see to it that we dealt with NEA tonight. I am trying to accommodate that request.

The unanimous consent request that I would make would be, unless you suggest just to title I, I would suggest we do NEA tonight, if that is what the majority leader wants, do the Stearns amendment, and come back to title I first thing Monday. I am trying to be reasonably responsive to what I thought the majority leader wanted.

Mr. REGULA. If the gentleman will yield, I think if it is agreeable, I would like to go ahead and try to finish these four amendments in title I, get a time limit on each one as we go along. We will get them as short as possible, and hopefully then we can finish up title I.

Mr. OBEY. Then let me simply stop my remarks and let me make the unanimous-consent request if I could.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. OBEY. I yield to the gentleman from Illinois.

Mr. YATES. Mr. Chairman, I want to find out from the gentleman from Ohio [Mr. REGULA] as to whether if we do finish title I, that he would be agreeable to considering title II, not tonight, but on another day.

Mr. OBEY. If I could reclaim my time, I think I will be able to answer that question by the nature of the unanimous consent request that I make.

Mr. Chairman, I ask unanimous consent that debate on all remaining amendments to title II be finished, including votes, by 9:30.

Mr. REGULA. Reserving the right to object, Mr. Chairman, I do not think this is fair to the Members who have an interest in these amendments and, therefore, I have to object to that request.

The CHAIRMAN. Objection is heard.

Mr. OBEY. Mr. Chairman, I ask unanimous consent, trying to respond to the majority leader's interests, and I do not want to imply that he has agreed to it, he has not, but I think it is a reasonable proposal, I ask unanimous consent that we proceed to the

Stearns amendment, debate on NEA, debate that for 10 minutes on each side, have a vote, adjourn for the evening, and when we return, agree to a time limit for title II on Monday of 5 hours of debate, with the votes to be taken the next day followed by the discussion on the remainder of the bill to be limited to 2 hours with whatever time is required for rollcall.

The CHAIRMAN. The request for adjournment and votes to be postponed to the next day has to be made in the House.

Would the gentleman care to restate his unanimous consent request?

Mr. OBEY. Mr. Chairman, let me simply state that I would, or my intention would be to deal with the Stearns amendment tonight for 10 minutes apiece, take the vote, and then adjourn for the evening, and when we go into the full House, I would make the motion with respect to the remaining consideration of the bill.

The CHAIRMAN. The gentleman should confine his request to the Stearns amendment.

Mr. OBEY. Then I ask unanimous consent that the gentleman from Florida be permitted to offer the amendment, notwithstanding title II of the bill is not yet considered as read and without prejudice to further amendments to title I of the bill.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

Mr. REGULA. I object.

The CHAIRMAN. Objection is heard.

Mr. OBEY. Mr. Chairman, I move the committee do now rise.

The CHAIRMAN. The question is on the motion offered by the gentleman from Wisconsin [Mr. OBEY].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. OBEY. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 168, noes 233, not voting 33, as follows:

[Roll No. 505]

AYES—168

Abercrombie	Collins (IL)	Flake
Ackerman	Condit	Foglietta
Andrews	Conyers	Frank (MA)
Baesler	Coyne	Frost
Barcia	Danner	Furse
Barrett (WI)	de la Garza	Gejdenson
Beilenson	DeLauro	Gephardt
Bentsen	Dellums	Gibbons
Berman	Deutsch	Gonzalez
Bevill	Dicks	Gutierrez
Bishop	Dingell	Hall (OH)
Bonior	Dixon	Hamilton
Borski	Doggett	Harman
Boucher	Dooley	Hastings (FL)
Browder	Doyle	Hayes
Brown (CA)	Durbin	Hefley
Brown (FL)	Edwards	Hilliard
Brown (OH)	Engel	Hinchee
Bryant (TX)	Eshoo	Holden
Cardin	Evans	Hoyer
Clay	Farr	Jackson-Lee
Clayton	Fattah	Jefferson
Clement	Fazio	Johnson (SD)
Clyburn	Fields (LA)	Johnson, E. B.
Coleman	Filner	Johnston

Kanjorski	Mollohan	Scott	Smith (MI)	Taylor (NC)	Weldon (FL)	Coleman	Johnson, E. B.	Peterson (FL)
Kaptur	Montgomery	Serrano	Smith (NJ)	Thomas	Weldon (PA)	Collins (IL)	Johnston	Pickett
Kennedy (MA)	Murtha	Sisisky	Smith (WA)	Thornberry	Weller	Condit	Kanjorski	Pomeroy
Kennedy (RI)	Nadler	Skaggs	Solomon	Tiahrt	White	Conyers	Kaptur	Poshard
Kennelly	Neal	Skelton	Souder	Torkildsen	Whitfield	Coyne	Kennedy (MA)	Rangel
Kildee	Oberstar	Slaughter	Spence	Traficant	Wicker	Cramer	Kennedy (RI)	Reed
Klecza	Obey	Spratt	Stearns	Upton	Wolf	Danner	Kennelly	Roemer
Klink	Olver	Stark	Stockman	Vucanovich	Young (AK)	de la Garza	Kildee	Rose
Lantos	Ortiz	Stenholm	Stump	Waldholtz	Young (FL)	DeLauro	Klecza	Roybal-Allard
Levin	Orton	Stokes	Talent	Walker	Zeliff	Dellums	Klink	Rush
Lewis (GA)	Owens	Studds	Tate	Walsh	Zimmer	Deutsch	Lantos	Sabo
Lofgren	Pallone	Stupak	Taylor (MS)	Wamp		Dicks	Levin	Sanders
Lowey	Payne (NJ)	Tanner				Dingell	Lewis (GA)	Sawyer
Maloney	Payne (VA)	Tejeda				Dixon	Lowey	Schroeder
Manton	Pelosi	Thompson	Baker (LA)	Hefner	Richardson	Doggett	Maloney	Schumer
Markey	Peterson (FL)	Thornton	Baldacci	Johnson, Sam	Roukema	Doyle	Manton	Scott
Martinez	Pickett	Thurman	Becerra	LaFalce	Scarborough	Durbin	Markey	Serrano
Mascara	Pomeroy	Torricelli	Bono	Lipinski	Smith (TX)	Edwards	Martinez	Sisisky
Matsui	Poshard	Towns	Clinger	McCrey	Tauzin	Engel	Mascara	Skaggs
McCarthy	Rangel	Tucker	Collins (MI)	Moakley	Torres	Eshoo	Matsui	Skelton
McDermott	Reed	Vento	Costello	Moran	Velazquez	Evans	McDermott	Slaughter
McHale	Rivers	Visclosky	Fields (TX)	Neumann	Volkmer	Farr	McHale	Spratt
McKinney	Roemer	Waters	Gallegly	Parker	Ward	Fattah	McKinney	Stark
McNulty	Rose	Watt (NC)	Green	Pastor	Watts (OK)	Fazio	McNulty	Stenholm
Meehan	Roybal-Allard	Waxman	Greenwood	Reynolds	Williams	Fields (LA)	Meehan	Stokes
Meek	Rush	Wilson				Filner	Meek	Studds
Menendez	Sabo	Wise				Foglietta	Menendez	Stupak
Mfume	Sanders	Woolsey				Frank (MA)	Mfume	Tanner
Miller (CA)	Sawyer	Wyden				Frost	Miller (CA)	Taylor (MS)
Mineta	Schroeder	Wynn				Furse	Mineta	Tejeda
Mink	Schumer	Yates				Gejdenson	Mink	Thompson
						Gephardt	Mollohan	Thurman
						Gibbons	Montgomery	Torricelli
						Gonzalez	Murtha	Towns
						Gutierrez	Nadler	Tucker
						Hall (OH)	Neal	Vento
						Hamilton	Oberstar	Visclosky
						Harman	Olver	Waters
						Hastings (FL)	Ortiz	Watt (NC)
						Hayes	Orton	Waxman
						Hilliard	Owens	Wilson
						Hinchee	Pallone	Wise
						Holden	Pastor	Woolsey
						Hoyer	Payne (NJ)	Wyden
						Jackson-Lee	Payne (VA)	Wynn
						Jefferson	Pelosi	Yates
						Johnson (SD)		

NOT VOTING—33

□ 2044

So the motion was rejected.

The result of the vote was announced as above recorded.

Mr. REGULA. Mr. Chairman, if it is in order, I ask unanimous consent that we have 30 minutes, 15 minutes for each side, to debate the amendment to be offered by the gentleman from California [Mr. FAZIO] and any amendments thereto.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

Mr. OBEY. Reserving the right to object, Mr. Chairman, can we reach an understanding that this will be the last amendment of the evening?

Mr. REGULA. Mr. Chairman, will the gentleman yield?

Mr. OBEY. I yield to the gentleman from Ohio.

Mr. REGULA. No, Mr. Chairman, I am not in a position to make that agreement.

Mr. OBEY. Then I object, Mr. Chairman.

The CHAIRMAN. Objection is heard.

□ 2045

Mr. REGULA. Mr. Chairman, at this point, we will just go ahead with the bill and take whatever the next amendment is.

Mr. OBEY. Mr. Chairman, I move that the committee do now rise.

The CHAIRMAN. The question is on the motion offered by the gentleman from Wisconsin [Mr. OBEY].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. OBEY. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 161, noes 233, not voting 40, as follows:

[Roll No. 506]

AYES—161

Allard	Ensign	Lewis (CA)	Smith (MI)	Taylor (NC)	Weldon (FL)	Coleman	Johnson, E. B.	Peterson (FL)
Archer	Everett	Lewis (KY)	Smith (NJ)	Thomas	Weldon (PA)	Collins (IL)	Johnston	Pickett
Armey	Ewing	Lightfoot	Smith (WA)	Thornberry	Weller	Condit	Kanjorski	Pomeroy
Bachus	Fawell	Lincoln	Solomon	Tiahrt	White	Coyne	Kaptur	Poshard
Baker (CA)	Flanagan	Linder	Souder	Torkildsen	Whitfield	Cramer	Kennedy (MA)	Rangel
Ballenger	Foley	Livingston	Spence	Traficant	Wicker	Danner	Kennedy (RI)	Reed
Barr	Forbes	LoBiondo	Stearns	Upton	Wolf	de la Garza	Kennelly	Roemer
Barrett (NE)	Ford	Longley	Stockman	Vucanovich	Young (AK)	DeLauro	Kildee	Rose
Bartlett	Fowler	Lucas	Stump	Waldholtz	Young (FL)	Dellums	Klecza	Roybal-Allard
Barton	Fox	Luther	Talent	Walker	Zeliff	Deutsch	Klink	Rush
Bass	Franks (CT)	Manzullo	Tate	Walsh	Zimmer	Dicks	Lantos	Sabo
Bateman	Franks (NJ)	Martini	Taylor (MS)	Wamp		Dingell	Levin	Sanders
Bereuter	Frelinghuysen	McCollum				Dixon	Lewis (GA)	Sawyer
Bilbray	Frisa	McDade	Baker (LA)	Hefner	Richardson	Doggett	Lowey	Schroeder
Bilirakis	Funderburk	McHugh	Baldacci	Johnson, Sam	Roukema	Doyle	Maloney	Schumer
Bliley	Ganske	McInnis	Becerra	LaFalce	Scarborough	Durbin	Manton	Scott
Blute	Gekas	McIntosh	Bono	Lipinski	Smith (TX)	Edwards	Markey	Serrano
Boehlert	Geren	McKeon	Clinger	McCrey	Tauzin	Engel	Martinez	Sisisky
Boehner	Gilchrest	Metcalf	Collins (MI)	Moakley	Torres	Eshoo	Mascara	Skaggs
Bonilla	Gillmor	Meyers	Costello	Moran	Velazquez	Evans	Matsui	Skelton
Brewster	Gilman	Mica	Fields (TX)	Neumann	Volkmer	Farr	McDermott	Slaughter
Brownback	Goodlatte	Miller (FL)	Gallegly	Parker	Ward	Fattah	McHale	Spratt
Bryant (TN)	Goodling	Minge	Green	Pastor	Watts (OK)	Fazio	McKinney	Stark
Bunn	Gordon	Molinari	Greenwood	Reynolds	Williams	Fields (LA)	McNulty	Stenholm
Bunning	Goss	Moorhead				Filner	Meehan	Stokes
Burr	Graham	Morella				Foglietta	Meek	Studds
Burton	Gunderson	Myers				Frank (MA)	Menendez	Stupak
Buyer	Gutknecht	Myrick				Frost	Mfume	Tanner
Callahan	Hall (TX)	Nethercutt				Furse	Miller (CA)	Taylor (MS)
Calvert	Hancock	Ney				Gejdenson	Mineta	Tejeda
Camp	Hansen	Norwood				Gephardt	Mink	Thompson
Canady	Hastert	Nussle				Gibbons	Mollohan	Thurman
Castle	Hastings (WA)	Oxley				Gonzalez	Montgomery	Torricelli
Chabot	Hayworth	Packard				Gutierrez	Murtha	Towns
Chambliss	Heineman	Paxon				Hall (OH)	Nadler	Tucker
Chapman	Herger	Peterson (MN)				Hamilton	Neal	Vento
Chenoweth	Hilleary	Petri				Harman	Oberstar	Visclosky
Christensen	Hobson	Pombo				Hastings (FL)	Olver	Waters
Chrysler	Hoekstra	Porter				Hayes	Ortiz	Watt (NC)
Coble	Hoke	Portman				Hilliard	Orton	Waxman
Coburn	Horn	Pryce				Hinchee	Owens	Wilson
Collins (GA)	Hostettler	Quillen				Holden	Pallone	Wise
Combust	Houghton	Quinn				Hoyer	Pastor	Woolsey
Cooley	Hunter	Radanovich				Jackson-Lee	Payne (NJ)	Wyden
Cox	Hutchinson	Rahall				Jefferson	Payne (VA)	Wynn
Cramer	Hyde	Ramstad				Johnson (SD)	Pelosi	Yates
Crane	Inglis	Regula						
Crapo	Istook	Riggs				Allard	DeLay	Hilleary
Cremeans	Jacobs	Roberts				Archer	Diaz-Balart	Hobson
Cubin	Johnson (CT)	Rogers				Armey	Dickey	Hoekstra
Cunningham	Jones	Rohrbacher				Bachus	Dooley	Hoke
Davis	Kasich	Ros-Lehtinen				Baker (CA)	Doolittle	Horn
Deal	Kelly	Roth				Ballenger	Dornan	Hostettler
DeFazio	Kim	Royce				Barrett (NE)	Dreier	Houghton
DeLay	King	Salmon				Bartlett	Duncan	Hunter
Diaz-Balart	Kingston	Sanford				Barton	Dunn	Hutchinson
Dickey	Klug	Saxton				Bass	Ehlers	Hyde
Doolittle	Knollenberg	Schaefer				Beilenson	Ehrlich	Inglis
Dornan	Kolbe	Schiff				Bereuter	Emerson	Istook
Dreier	LaHood	Seastrand				Bilbray	English	Jacobs
Duncan	Largent	Sensenbrenner				Bilirakis	Ensign	Johnson (CT)
Dunn	Latham	Shadegg				Blute	Everett	Jones
Ehlers	LaTourette	Shaw				Boehlert	Ewing	Kasich
Ehrlich	Laughlin	Shays				Boehner	Fawell	Kasich
Emerson	Lazio	Shuster				Bonilla	Flake	Kelly
English	Leach	Skeen				Brewster	Flanagan	Kim
						Brownback	Foley	King
						Bryant (TN)	Forbes	Kingston
						Bunn	Ford	Klug
						Bunning	Fowler	Knollenberg
						Burr	Fox	Kolbe
						Burton	Franks (CT)	LaHood
						Buyer	Franks (NJ)	Largent
						Callahan	Frelinghuysen	Latham
						Calvert	Frisa	LaTourette
						Camp	Funderburk	Laughlin
						Canady	Ganske	Lazio
						Castle	Gekas	Leach
						Chabot	Gilchrest	Lewis (CA)
						Chambliss	Gillmor	Lewis (KY)
						Christensen	Gilman	Lightfoot
						Chrysler	Goodlatte	Lincoln
						Clement	Goodling	Linder
						Clinger	Goodling	Livingston
						Coburn	Gordon	LoBiondo
						Collins (GA)	Goss	Lofgren
						Combust	Graham	Longley
						Cooley	Gunderson	Lucas
						Cox	Gutknecht	Luther
						Crane	Hall (TX)	Manzullo
						Crapo	Hancock	Martini
						Cremeans	Hansen	McCarthy
						Cubin	Hastert	McCollum
						Cunningham	Hastings (WA)	McDade
						Davis	Hayworth	McHugh
						Deal	Hefley	McInnis
						DeFazio	Heineman	McIntosh
							Herger	McKeon

AYES—161

Abercrombie	Bevill	Brown (FL)
Ackerman	Bishop	Brown (OH)
Andrews	Bonior	Bryant (TX)
Baessler	Borski	Cardin
Barcia	Boucher	Clay
Barrett (WI)	Browder	Clayton
Bentsen	Brown (CA)	Clyburn

Metcalf	Rivers	Stump
Meyers	Roberts	Talent
Mica	Rogers	Tate
Miller (FL)	Rohrabacher	Taylor (NC)
Minge	Ros-Lehtinen	Thomas
Molinari	Roth	Thornberry
Moorhead	Roukema	Thornton
Morella	Royce	Tiahrt
Myrick	Salmon	Torkildsen
Nethercutt	Sanford	Trafficant
Ney	Saxton	Upton
Norwood	Schaefer	Vucanovich
Nussle	Schiff	Waldholtz
Oxley	Seastrand	Walker
Packard	Sensenbrenner	Walsh
Paxon	Shadegg	Wamp
Peterson (MN)	Shaw	Weldon (FL)
Petri	Shays	Weldon (PA)
Pombo	Shuster	Weller
Porter	Skeen	White
Portman	Smith (MI)	Whitfield
Quillen	Smith (NJ)	Wicker
Quinn	Smith (WA)	Wolf
Radanovich	Solomon	Young (AK)
Rahall	Souder	Young (FL)
Ramstad	Spence	Zeliff
Regula	Stearns	Zimmer
Riggs	Stockman	

NOT VOTING—40

Baker (LA)	Galleghy	Pryce
Baldacci	Geren	Reynolds
Barr	Green	Richardson
Bateman	Greenwood	Scarborough
Becerra	Hefner	Smith (TX)
Berman	Johnson, Sam	Tauzin
Bliley	LaFalce	Torres
Bono	Lipinski	Velazquez
Chapman	McCrary	Volkmer
Chenoweth	Moakley	Ward
Coble	Moran	Watts (OK)
Collins (MI)	Myers	Williams
Costello	Neumann	
Fields (TX)	Parker	

□ 2104

So the motion was rejected.

The result of the vote was announced as above recorded.

MOTION OFFERED BY MR. REGULA

Mr. REGULA. Mr. Chairman, I move to limit debate on title I and all amendments thereto to 90 minutes not including vote time.

PREFERENTIAL MOTION OFFERED BY MR. OBEY

Mr. OBEY. Mr. Chairman, I offer a privileged motion. I move that the Committee rise and report the bill back to the House with a recommendation that the enacting clause be stricken.

Mr. Chairman, what is at issue here, in my view, is whether or not this House is going to be able to conduct its business at reasonable times in public view or whether we are going to be reduced to making virtually every major decision in subcommittees and on the floor at near midnight, with minimal public attention and minimal public understanding and minimum attention.

Mr. Chairman, the motion that was just offered by the distinguished gentleman from Ohio is virtually identical to the proposition which I first made to the majority leader 2½ hours ago. The only thing that has prevented us from being out of here and all of title I finished by now, because our request was to be finished with title I by 9:00, the only thing that has prevented that has been willfulness, in my view. And I am simply suggesting that it makes no sense whatsoever to be doing at midnight what we could have done at 7:00 or 8:00 in the evening.

I would simply make the additional point that the motion that I made then

was made after a request to provide limitations was offered by those on the majority side of the aisle. So what I am been trying to do for the last 2½ hours is to get done what majority Members of this House have asked me to help get done. I do not think that is unreasonable.

Mr. REGULA. Mr. Chairman, I oppose the motion.

I was not a party to the earlier negotiations. The gentleman from Illinois [Mr. YATES] and I discussed a possible agreement here that we would finish title I with time limits on the amendments that remain.

The gentleman from Wisconsin [Mr. OBEY] did not agree with that. Frankly, at this point, let us do the people's business. That is what we are elected to be here for.

Mr. Chairman, I move the previous question on the motion.

The CHAIRMAN. The question is on the preferential motion offered by the gentleman from Wisconsin [Mr. OBEY].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. OBEY. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 162, noes 236, not voting 36, as follows:

[Roll No. 507]

AYES—162

Abercrombie	Ford	Mineta
Ackerman	Frank (MA)	Mink
Andrews	Frost	Mollohan
Barcia	Furse	Montgomery
Barrett (WI)	Gejdenson	Murtha
Becerra	Gephardt	Nadler
Bentsen	Gibbons	Neal
Berman	Gonzalez	Oberstar
Bevill	Gutierrez	Obey
Bishop	Harman	Olver
Bonior	Hastings (FL)	Ortiz
Borski	Hilliard	Orton
Boucher	Hinchev	Owens
Browder	Holden	Pallone
Brown (CA)	Hoyer	Pastor
Brown (FL)	Jackson-Lee	Payne (NJ)
Brown (OH)	Jefferson	Pelosi
Bryant (TX)	Johnson (SD)	Peterson (FL)
Cardin	Johnson, E. B.	Pickett
Chapman	Johnston	Pomeroy
Clay	Kanjorski	Poshard
Clayton	Kaptur	Rangel
Clement	Kennedy (MA)	Reed
Clyburn	Kennedy (RI)	Rivers
Coleman	Kennelly	Rose
Collins (IL)	Kildee	Roybal-Allard
Conyers	Klecicka	Rush
Coyne	Klink	Sabo
Cramer	Lantos	Sanders
de la Garza	Levin	Sawyer
DeLauro	Lewis (GA)	Schroeder
Dellums	Lofgren	Schumer
Deutsch	Lowey	Serrano
Dicks	Maloney	Sisisky
Dingell	Manton	Skaggs
Dixon	Markey	Skelton
Doggett	Martinez	Slaughter
Doyle	Mascara	Smith (WA)
Durbin	Matsui	Spratt
Edwards	McCarthy	Stark
Engel	McDermott	Stenholm
Eshoo	McHale	Stokes
Evans	McKinney	Studds
Farr	McNulty	Stupak
Fattah	Meehan	Tanner
Fazio	Meek	Tejeda
Fields (LA)	Menendez	Thompson
Filner	Mfume	Thornton
Foglietta	Miller (CA)	Thurman

Torres
Torrice
Towns
Tucker
Velazquez

Vento
Visclosky
Waters
Watt (NC)
Waxman

NOES—236

Allard
Archer
Armey
Bachus
Baesler
Baker (CA)
Ballenger
Barrett (NE)
Bartlett
Barton
Bass
Beilenson
Bereuter
Billbray
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Brewster
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Condit
Cooley
Cox
Crane
Crapo
Creameans
Cubin
Cunningham
Danner
Davis
Deal
DeFazio
DeLay
Diaz-Balart
Dickey
Dooley
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Flake
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)

Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Ganske
Gekas
Geren
Gilchrest
Gillmor
Gilman
Goodlatte
Gooding
Gordon
Goss
Graham
Gunderson
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Jacobs
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Livingston
LoBiondo
Longley
Lucas
Luther
Manzullo
Martini
McCollum
McDade
McHugh
McInnis
McIntosh
McKeon
Metcalf
Meyers

Wilson
Wise
Woolsey
Wyden
Wynn

Mica
Miller (FL)
Minge
Molinari
Moorhead
Morella
Myrick
Nethercutt
Ney
Norwood
Nussle
Oxley
Packard
Paxon
Peterson (MN)
Petri
Pombo
Porter
Portman
Quillen
Quinn
Radanovich
Rahall
Ramstad
Regula
Riggs
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Salmon
Sanford
Saxton
Schaefer
Schiff
Scott
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Skeen
Smith (MI)
Smith (NJ)
Solomon
Souder
Spence
Stearns
Stockman
Stump
Talent
Tate
Taylor (NC)
Thomas
Thornberry
Tiahrt
Torkildsen
Trafficant
Upton
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)
Zimmer

NOT VOTING—36

Baker (LA)
Baldacci
Barr
Bateman
Bono
Collins (MI)
Costello
Fields (TX)
Gallegly
Green
Greenwood

Hayes
Hefner
LaFalce
Lipinski
McCrary
Moakley
Moran
Myers
Neumann
Parker
Payne (VA)

Pryce
Reynolds
Richardson
Scarborough
Shuster
Smith (TX)
Tauzin
Taylor (MS)

Volkmer Watts (OK) Yates
Ward Williams Zeliff

□ 2127

Mr. BERMAN changed his vote from "no" to "aye."
So the preferential motion was rejected.

The result of the vote was announced as above recorded.

PREFERENTIAL MOTION OFFERED BY MR. OBEY

Mr. OBEY. Mr. Chairman, I offer a preferential motion.

The CHAIRMAN. The gentleman will state the motion.

Mr. OBEY. Mr. Chairman, I move that the committee do now rise.

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. OBEY. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 150, noes 249, not voting 35, as follows:

[Roll No. 508]

AYES—150

Abercrombie	Gejdenson	Obey
Andrews	Gephardt	Ortiz
Barcia	Gibbons	Orton
Barrett (WI)	Gonzalez	Owens
Becerra	Gutierrez	Pallone
Berman	Harman	Pastor
Bevill	Hastings (FL)	Payne (NJ)
Bishop	Hayes	Payne (VA)
Bonior	Hilliard	Pelosi
Borski	Hinchey	Peterson (FL)
Boucher	Holden	Pickett
Browder	Hoyer	Pomeroy
Brown (CA)	Jackson-Lee	Poshard
Brown (FL)	Jefferson	Rangel
Brown (OH)	Johnson (SD)	Reed
Bryant (TX)	Johnson, E. B.	Roybal-Allard
Cardin	Johnston	Rush
Chapman	Kanjorski	Sabo
Clay	Kaptur	Sawyer
Clayton	Kennedy (MA)	Schroeder
Clyburn	Kennedy (RI)	Schumer
Coleman	Kennelly	Serrano
Collins (IL)	Kildee	Sisisky
Conyers	Kleczka	Skaggs
Coyne	Klink	Slaughter
de la Garza	Lantos	Spratt
DeLauro	Levin	Stark
Dellums	Lewis (GA)	Stenholm
Deutsch	Lowey	Stokes
Dicks	Maloney	Studds
Dingell	Manton	Stupak
Dixon	Markey	Tanner
Doggett	Mascara	Taylor (MS)
Doyle	Matsui	Tejeda
Durbin	McDermott	Thompson
Edwards	McHale	Thurman
Engel	McKinney	Torres
Eshoo	McNulty	Torricelli
Evans	Meehan	Tucker
Farr	Meek	Velazquez
Fattah	Menendez	Vento
Fazio	Miller (CA)	Visclosky
Fields (LA)	Mineta	Waters
Filner	Mink	Watt (NC)
Flake	Mollohan	Waxman
Foglietta	Montgomery	Wilson
Ford	Murtha	Wise
Frank (MA)	Nadler	Woolsey
Frost	Neal	Wyden
Furse	Oberstar	Wynn

NOES—249

Allard	Bartlett	Blute
Archer	Barton	Boehler
Armey	Bass	Boehner
Bachus	Beilenson	Bonilla
Baesler	Bentsen	Brewster
Baker (CA)	Bereuter	Brownback
Ballenger	Bilbray	Bryant (TN)
Barr	Bilirakis	Bunn
Barrett (NE)	Billey	Bunning

Burr	Hancock	Oxley
Burton	Hansen	Packard
Buyer	Hastert	Paxon
Callahan	Hastings (WA)	Peterson (MN)
Calvert	Hayworth	Petri
Camp	Hefley	Pombo
Canady	Heineman	Porter
Castle	Herger	Portman
Chabot	Hillery	Quillen
Chambliss	Hobson	Quinn
Chenoweth	Hoekstra	Radanovich
Christensen	Hoke	Rahall
Chrysler	Horn	Ramstad
Clement	Hostettler	Regula
Clinger	Houghton	Riggs
Coble	Hunter	Rivers
Coburn	Hutchinson	Roberts
Collins (GA)	Hyde	Roemer
Combest	Inglis	Rogers
Condit	Istook	Rohrabacher
Cooley	Jacobs	Ros-Lehtinen
Cox	Johnson (CT)	Rose
Cramer	Johnson, Sam	Roth
Crane	Jones	Roukema
Crapo	Kasich	Royce
Cremeans	Kelly	Salmon
Cubin	Kim	Sanders
Cunningham	King	Sanford
Danner	Kingston	Saxton
Davis	Klug	Schaefer
Deal	Knollenberg	Schiff
DeFazio	Kolbe	Scott
DeLay	LaHood	Seastrand
Diaz-Balart	Largent	Sensenbrenner
Dickey	Latham	Shadegg
Dooley	LaTourrette	Shaw
Doolittle	Laughlin	Shays
Dornan	Lazio	Skeen
Dreier	Leach	Skelton
Duncan	Lewis (CA)	Smith (MI)
Dunn	Lewis (KY)	Smith (NJ)
Ehlers	Lightfoot	Smith (WA)
Ehrlich	Lincoln	Solomon
Emerson	Linder	Souder
English	Livingston	Spence
Ensign	LoBiondo	Stearns
Everett	Lofgren	Stockman
Ewing	Longley	Stump
Fawell	Lucas	Talent
Flanagan	Luther	Tate
Foley	Manzullo	Taylor (NC)
Forbes	Martini	Thomas
Fowler	McCarthy	Thornberry
Fox	McColum	Thornton
Franks (CT)	McDade	Tiahrt
Franks (NJ)	McHugh	Torkildsen
Frelinghuysen	McInnis	Towns
Frisa	McIntosh	Traficant
Funderburk	McKeon	Upton
Ganske	Metcalf	Vucanovich
Gekas	Meyers	Waldholtz
Geren	Mfume	Walker
Gilchrest	Mica	Walsh
Gillmor	Miller (FL)	Wamp
Gilman	Minge	Weldon (FL)
Goodlatte	Molinari	Weldon (PA)
Gordon	Moorhead	White
Goss	Morella	Whitfield
Graham	Myers	Wicker
Gunderson	Myrick	Wolf
Gutknecht	Nethercutt	Young (AK)
Hall (OH)	Ney	Young (FL)
Hall (TX)	Norwood	Zeliff
Hamilton	Nussle	Zimmer

NOT VOTING—35

Ackerman	Hefner	Richardson
Baker (LA)	LaFalce	Scarborough
Baldacci	Lipinski	Shuster
Bateman	Martinez	Smith (TX)
Bono	McCrery	Tauzin
Collins (MI)	Moakley	Volkmer
Costello	Moran	Ward
Fields (TX)	Neumann	Watts (OK)
Gallegly	Olver	Weller
Goodling	Parker	Williams
Green	Pryce	Yates
Greenwood	Reynolds	

□ 2146

So the motion was rejected.

The result of the vote was announced as above recorded.

MOTION OFFERED BY MR. REGULA

Mr. REGULA. Mr. Chairman, I withdraw my pending motion.

Mr. Chairman, I move to limit debate on title I and all amendments thereto to 60 minutes.

The CHAIRMAN. The question is on the motion offered by the gentleman from Ohio [Mr. REGULA].

The motion was agreed to.

AMENDMENT OFFERED BY MR. FAZIO OF CALIFORNIA

Mr. FAZIO of California. Mr. Chairman, I offer an amendment, amendment No. 12, printed in the RECORD on July 11.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. FAZIO of California: Page 2, line 11, strike "\$570,017,000" and insert "\$569,417,000".

Page 2, line 12, strike "of which" and all that follows through ", and" on line 17.

Page 3, line 4, strike "\$570,017,000" and insert "\$569,417,000".

Page 16, line 5, strike "\$1,088,249,000" and insert "\$1,088,849,000".

Page 16, line 9, strike ", and" and all that follows through "serve" on line 12.

Mr. FAZIO of California. Mr. Chairman, this does not need to be a lengthy debate, because I think it is a rather simple question that the Members need to decide here today.

This amendment, which is budget neutral, would reverse what I believe is a back-door effort to gut the provisions of the California Desert Protection Act. As all the Members who served in the last Congress know, that act took us at least 3 weeks to pass this House of Representatives. It was the culmination of some 8 years of hearings and consideration in every Congress, during the last 4. It was finally signed into law by the President during the last Congress after a tremendous outpouring of political support in California, in the desert and nationally.

Major changes were made in the bill on the House floor to address a number of concerns of landowners and outdoor enthusiasts. We dealt with problems and needs of the gunners and off-road vehicle people, we dealt with the needs of grazers and miners who had long used the area. And when the House acted, it did so with an overwhelming vote of 298 to 128, including the support of 45, as a matter of fact, with two conversions, 47 Republicans who served in the last Congress. The Senate passed it by an over 2-to-1 majority.

Now we have an attempt here, probably in a 10- or 15-minute debate, in a very brief debate after a tremendous struggle that took place in the last Congress. We are being asked, I believe inappropriately, to use a process which does not provide for due deliberation in committee to, frankly, make a mockery of the intense efforts this Congress made to accommodate this wide variety of views with many, many amendments. An amendment was offered by my good friend and colleague, who represents much of the area that is at

issue here. It was offered at his suggestion in the Committee on Natural Resources. The subcommittee acted contrary to, I think, its chairman's position to move from the National Park Service to the Bureau of Land Management all the funding that had been provided to implement the national park reserve as a result of this legislation just enacted.

The kicker is only \$1 remains to implement the multiple-use plan that was agreed to by all of us. My good colleague and friend, the gentleman from California [Mr. LEWIS], is making us, including many of those who supported it in the past, to flipflop and to take a new tack after not even a year has passed since the enactment of the legislation.

So my amendment would simply restate the bill to its original form. I know that the gentleman from Ohio [Mr. REGULA] has proposed a very strong bill for the National Park Service generally. I want to support his mark, the mark that he would really like to provide for those across the country.

I think if my friend, the gentleman from California [Mr. LEWIS], wants to act to change the law we just enacted, we really ought to move legislation through the Committee on Natural Resources. I am sure the gentleman from Alaska [Mr. YOUNG] would be quick to accommodate him with hearings and a markup because I know he agrees with my friend's view of the Mojave preserve.

But by interfering with the Park Service operation of the Mojave national reserve, we are causing problems, adding to problems that I know the gentleman from California [Mr. LEWIS] wants to avoid. The National Park Service has done an effect statement discussing the impact of these changes. Let me quote from it. It says, "While the funding has been transferred, the national preserve is still, in fact, a unit of the national park system. Implementation of the act requires new activities such as survey and installation of boundary signs, preparation of wilderness maps for 69 new areas, law enforcement patrols and surveillance and resource protection of these areas."

So by limiting the funds to just a dollar, the Park Service cannot adequately carry out these roles. They have two people at any one time, at most, on duty. They have already closed down two meth labs. This is an area that deserves attention.

I think the owners of the 4,500 mining claims located in the preserve would be particularly alarmed. The Park Service says to them without funding, mining plans of operations will not be processed, validity determinations will not be made and environmental reviews will not occur.

The CHAIRMAN. The time of the gentleman from California [Mr. FAZIO] has expired.

(At the request of Mr. DICKS and by unanimous consent, Mr. FAZIO of Cali-

fornia was allowed to proceed for 2 additional minutes.)

Mr. FAZIO of California. Mr. Chairman, the Mining in the Parks Act, which requires plans of operation to be prepared prior to mining activity, will still be in effect for the national preserve. We simply will be doing nothing to put any of this into effect.

Now, let me say I think there has been a mood change in the area as well. The San Bernardino board of supervisors, which originally opposed the preserve, is now enthusiastic about winning full funding for it, having noted that tourist visits in the area have increased dramatically since the preserve was established. The Chambers of Commerce of nearby Barstow, Baker and Newberry Springs have recently expressed their support for the Mojave national preserve. Local officials want to give this law a chance to work. We in Congress need to do the same.

In short, we should support Chairman Regula's mark. We should support the 8 years of careful crafting that went into establishing the preserve. We should not be using appropriations, I think, as an improper tool to reverse this law we only so recently have enacted.

In light of all the changes we made to accommodate all the critics, legitimate critics of all types who had an input on this bill, in light of the tremendous investment people on all sides of this issue have made, I urge support for this amendment, and I urge restoration of the law, and I urge all of my colleagues, particularly those who stood for this before in the prior Congress, to reiterate their support and not create any question about their dedication to desert protection in California.

Mr. LEWIS of California. Mr. Chairman, I move to strike the last word.

I certainly hope it is the last word, Mr. Chairman.

Mr. Chairman and my colleagues, I do not intend to take a lot of time, and I certainly want to join my friend, the gentleman from California [Mr. FAZIO], in expressing our sensitivity about keeping you here this late regarding this matter. It is an item that happens to affect the districts of five Members from California. As this amendment applies, however, it is almost entirely in my own district, a district in which you can put five eastern States in just the desert that we are talking about.

The gentleman from California [Mr. FAZIO] is correct in saying that last year we had a very, very extended debate and, as a result of that debate, some very unusual things occurred. The chairman of the Natural Resources Committee last year brought a bill to the floor, did a very fine job representing the Senate sponsor of that bill, but there were many aspects of the bill that were not supported by those people who represented the territory affected, and as a result of that, on 10 different occasions the House, in a bipartisan way, chose to change that legisla-

tion, overrode the committee and, indeed, reflected the will of the people who live in and work in the territory involved.

There was one element of the bill that was a very significant controversy, and that swirls around this amendment and problem this evening. That element involves the East Mojave, which originally was to be designated as a park, and as the gentleman from California [Mr. FAZIO] suggested, we changed it so it could be more like a multiple-use area. The Park Service was given responsibility to deal with the East Mojave National Preserve, and that is when the problem began. We were very interested to see what they would do with that preserve because it is an area, some of which is very beautiful and very parklike, but most of which has no parklike quality.

The Park Service immediately asked the agency to transfer \$600,000 from the Bureau of Land Management, the multiple-use agency, so they could have \$600,000 to run this preserve. Almost overnight, they were putting up no-trespassing signs, "Do not drive your vehicle past this point." Roadways that had been used for decades by people, by families, by people who live there, suddenly were no longer roadways. They were called ways, and they were not open to vehicular traffic.

The public that lives in the area is reacting very intently. So an amendment was made that essentially said, "Hey, wait a minute, Park Service, before you go forward, maybe the real multiple-use agency, the BLM, ought to have that money, most of it, until we can see what your plan really is." So an amendment came forth in the subcommittee that took almost all of the \$600,000 and gave it to the Bureau of Land Management, a public agency for multiple use of public lands, and left a dollar in the Park Service so that what we could have some basis for negotiations.

As a result of that, all of those people who the gentleman from California [Mr. FAZIO] suggested from the area thought perhaps they should work with them on the preserve have changed any position they might have considered regarding supporting the Park Service's work. The bipartisan Congressional Sportsmen's Caucus opposes the change the gentleman from California [Mr. FAZIO] is suggesting. All of the Members who represent the area, the people who actually were elected from the district, oppose the amendment offered by the gentleman from California [Mr. FAZIO]. State Assemblyman Keith Olberg, from the territory, opposes the change. The chairman of the San Bernardino County Board of Supervisors, Marsha Turoci, the person the gentleman from California [Mr. FAZIO] suggested in the past was supporting the Park Service, now says they should not go forward from here. We need to insist that we see their plan first. Let the Bureau of Land Management in the meantime go forward. The Needles

Chamber of Commerce, the East Mojave Properties Owners Association, the National Cattlemen's Association, hunter and wildlife conservation groups are opposed to allowing the Park Service to go forward without a plan, at least for the people who live there, who understand it, and who love it the most.

Now, ladies and gentlemen, I would not do this to your district. There is not any question that there is a very small group of elitists who would like to tell the people in the desert in California how best this land should be managed.

Indeed, there are portions of it that are park quality. We have recommended in the past that be put into a park, not a preserve, and let the Park Service run it, but in this case, absolutely, there is to question that the extremists are having their way in terms of the ways this place is being run. There is no need for this. The battle will go on forever unless we insist that the Park Service have a plan first.

I urge you to help me with my district and vote "no" on the Fazio amendment.

The CHAIRMAN. The time of the gentleman from California [Mr. LEWIS] has expired.

□ 2200

(On request of Mr. FAZIO and by unanimous consent, Mr. LEWIS of California was allowed to proceed for 2 additional minutes.)

Mr. FAZIO of California. Mr. Chairman, will the gentleman yield?

Mr. LEWIS of California. I yield to the gentleman from California.

Mr. FAZIO of California. Mr. Chairman, we do not need to prolong this too much. I think we all appreciate and understand the difficulty of getting a new national park off the ground, and there is no question there is some problems that would need to be addressed—

Mr. LEWIS of California. This is not in a national park.

Mr. FAZIO of California. I understand, but it is a preserve, and it is under the park system, and I do not think there is any question that the Park Service needs to reach out to the gentleman and to deal with the gentleman on the issues of concern to his constituents. I think it is fair to say that people really want to put this behind them, though, and I know what the gentleman is attempting to do, and that is to get the attention of the Department of Interior and people who need to accommodate the local concerns. I think the gentleman has done that, I think he has accomplished it, and I would only hope that he would sit down with Roger Kennedy and others, and sort out the differences, and see whether we can move to in the first 6 months of operation—some solutions at this site.

Mr. LEWIS of California. In the spirit of that I say to the gentleman, Mr. FAZIO, I appreciate what you've said.

I've attempted to communicate with the Park Service. They have been nonresponsive. Let me say that indeed if we make this change, if it goes forward from here, a dollar for the Park Service, \$599,000 for the multiple-use agency, the Bureau of Land management, I know they'll be talking to me between now and the time we go to conference, and that's exactly what the House ought to do. If this House last year had believed—could imagine the Park Service would do this to my district, they would have thrown this idea out. I mean it is almost ridiculous, but we shouldn't prolong the evening, Mr. FAZIO. We have really said all there is to say, and I appreciate your cooperation. I just wish you lived down there in San Bernardino County with me.

Mr. FAZIO of California. Well, some day maybe we will have that great privilege, but at the moment I just want to tell the gentleman that Roger Kennedy has written to the gentleman, and he has indicated his desire to meet with the gentleman, and I really think it is appropriate for that meeting to take place. I am sure it will regardless of what happens this evening, but I do hope that Members will stay the course and follow through with their commitment made last year, and I am certain the gentleman has gotten their attention.

Mr. OBEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would urge that we support the Fazio amendment, and I would like to, in discussing the Fazio amendment, make a suggestion that might get us out of here a lot earlier.

Mr. Chairman, the agreement we are now operating under is virtually the same agreement that I offered to the majority leader at 6:30 this evening. At the time, since it was first suggested to me by representatives of the majority party that we ought to try to get a time limit on title I, we constructed a time limit that was agreed to by Members of both parties on the committee. But, when I then walked over to the majority side of the aisle, I was informed by the majority leader that it was not acceptable. Basically the time limit that had been worked out on both sides at the committee level was that we should finish all amendments to title I, including the votes, by 9 or 9:30 this evening. The majority leader then informed me that regardless of how much progress we made on title I, Mr. Chairman, he wanted the House to stay in session until midnight and expressed great frustration that Members were offering so many amendments.

Mr. Chairman, I share that frustration. But I did not ask for a totally open rule. The majority leader happens to believe in it, and it is his privilege.

I then suggested, Mr. Chairman, to the majority leader that I would be willing not only to agree to a time limit on title I, but on time limits for the entire bill. I was asked what my estimate was of the time that would be required to do that.

Mr. Chairman, I told the majority leader that after consulting staff on both sides of the aisle that I was told that their best estimate of the time needed to complete the 20 expected amendments of title II was somewhere between 4½ and 5½ hours depending on what happened in the forestry issue and the arts issue. I suggested we ought to get a time agreement of that amount or any other number that could be agreed to and that, if that kept us into an hour which would be too late on Monday night, that we then stack the votes and have them occur immediately Tuesday morning, and then we try to compress the 12 expected remaining amendments in title III to 2 hours. That is a lot of compression. And that way we could get out of here in what I thought would be the fastest possible way.

The gentleman from Texas [Mr. ARMEY] suggested that he would like to think about that. About an hour later I was told that he did not find that acceptable but that he wanted to finish title I and then go on to consider the arts issue. I suggested that we either finish title I or go, if that was the preference of the majority party, go immediately to the arts issue, and in fact I offered a motion to—I offered a unanimous-consent request to complete title I and then go home. That was objected to. I then offered a unanimous-consent request to proceed to the Stearns amendment, which it was my understanding the majority party wanted to deal with tonight, and then go home and consider the title I items on Monday. That was again objected to.

Mr. Chairman, we are now going to get to about where I was asking that we get to at 9 or 9:30 by about 11 or midnight. I regret that we were not able to reach a bipartisan agreement because I honestly believe, if we have any chance of completing our appropriations bills, we need to have cooperation of Members on both sides of the aisle, not just that at leadership level, but the rank-and-file level, because there are lots of people who want to offer lots of amendments to lots of coming appropriation bills, and I do not think we want to be here until 1 or 2 o'clock every night. I do not think we do our best work then.

So it seems to me that we have to establish some kind of trust and some kind of willingness to work with each other to help facilitate the majority leader's own schedule. That is all I am trying to do, and I say to my colleagues, if you don't believe it, I invite you to ask any Member of the majority side on the Appropriations Committee. Ask them what I've tried to do on all the bills before us up to this time.

The CHAIRMAN. The time of the gentleman from Wisconsin [Mr. OBEY] has expired.

Mr. DICKS. Mr. Chairman, I ask unanimous consent that the gentleman from Wisconsin have 30 additional seconds.

Mr. SAM JOHNSON of Texas. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard. Mr. DICKS. Mr. Chairman, I move to strike the last word.

Mr. OBEY. Mr. Chairman, will the gentleman yield?

Mr. DICKS. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, all I am trying to do, if you would have the good grace to let me do it, is to suggest that I do not see any constructive purpose to be served by further delay, and so what I am trying to inform the House, unless I am forced to change my mind, is that I have the right every 5 minutes, if I want, to offer another motion to rise.

Mr. Chairman, this is why I do not think it is good to meet this late, because Members do not often act in their own interests.

All I am trying to say is that I do not intend to offer any other motions to rise this evening. I would ask only two things: that we complete action on the pending amendments as quickly as possible and that the majority leader take into consideration the right of this House to consider every important issue we deal with under the most optimum conditions possible, and that means, I believe, not considering important legislation at 12, 1, and 2 o'clock in the morning, be it in subcommittee or on the floor.

I offer my colleagues my intention to try to cooperate in that, but the majority leader must have some realistic understanding of the time realities which neither the minority on the Committee on Appropriations nor the majority have any power to overcome. If the majority leader wants to insist that every single appropriation bill have totally open rules, then we must accept the logical consequences of that when some 70 amendments are filed. Most are filed on the majority side of the aisle, and it just seems to me it makes no sense to want time requirements that leave Members no time to debate the amendments which the majority leader himself has insisted be made in order.

So with that statement I will simply indicate I am not going to offer any more motions tonight, and I would hope over the weekend we can reach a reasonable understanding on this so that we can deal with these issues in a rational way. That is all I have been trying to do all evening long.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. FAZIO].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. FAZIO of California. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 174, noes 227, not voting 33, as follows:

[Roll No. 509]

AYES—174

Abercrombie
Andrews
Baesler
Barrett (WI)
Becerra
Beilenson
Bentsen
Bereuter
Berman
Bevill
Bishop
Boehlert
Bonior
Borski
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Cardin
Chapman
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Conyers
Coyne
Cramer
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Durbine
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Filner
Flake
Foglietta
Forbes
Frank (MA)
Franks (CT)
Frost
Furse
Gejdenson
Gephardt

Gibbons
Gillchrist
Gilman
Gonzalez
Gordon
Gutierrez
Hall (OH)
Hamilton
Harman
Hastings (FL)
Hilliard
Hinchey
Holden
Horn
Hoyer
Jackson-Lee
Jacobs
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Klecza
Klink
Lantos
Lazio
Levin
Lewis (GA)
LoBiondo
Lofgren
Lowey
Luther
Maloney
Manton
Markey
Martini
Mascara
Matsui
McCarthy
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Meyers
Mfume
Miller (CA)
Miller (CA)
Mineta
Mink
Morella
Murtha

NOES—227

Allard
Archer
Armey
Bachus
Baker (CA)
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bilbray
Bilirakis
Bliley
Blute
Boehner
Bonilla
Boucher
Brewster
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Chabot
Chambliss
Chenoweth

Christensen
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Condit
Cooley
Cox
Crane
Crapo
Creameans
Cubin
Cunningham
Danner
Davis
de la Garza
Deal
DeLay
Diaz-Balart
Brownback
Doolittle
Dornan
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell

Hyde
Inglis
Istook
Jefferson
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kim
King
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Livingston
Longley
Lucas
Manzullo
McCollum
McDade
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Minge
Molinari

Ackerman
Baker (LA)
Baldacci
Bono
Collins (MI)
Costello
Fields (TX)
Ford
Gallegly
Green
Greenwood
Nadler
Neal
Oberstar
Obey
Olver
Owens
Pallone
Pastor
Payne (NJ)
Pelosi
Peterson (FL)
Pomeroy
Porter
Portman
Poshard
Rahall
Ramstad
Rangel
Reed
Regula
Rivers
Roemer
Roybal-Allard
Rush
Sabo
Sanders
Sanford
Sawyer
Schroeder
Schumer
Scott
Serrano
Shays
Skaggs
Skelton
Slaughter
Spratt
Stark
Stokes
Studds
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Towns
Tucker
Velazquez
Vento
Waters
Watt (NC)
Waxman
Wise
Woolsey
Wyden
Wynn
Zimmer

Mollohan
Montgomery
Moorhead
Myers
Myrick
Nethercutt
Ney
Norwood
Nussle
Ortiz
Orton
Oxley
Packard
Paxon
Payne (VA)
Peterson (MN)
Petri
Pickett
Laughlin
Quillen
Quinn
Radanovich
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Salmon
Saxton
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Sisisky
Skeen

Richardson
Rose
Scarborough
Shuster
Smith (TX)
Tauzin
Volkmer
Ward
Watts (OK)
Williams
Yates

NOT VOTING—33

□ 2228

The Clerk announced the following pair:

On this vote:

Mr. Richardson for, with Mr. Neumann against.

Mr. Moakley for, with Mr. Bono against.

Messrs. BROWN of California, LAZIO of New York, GILCHRIST, GONZALEZ, HOYER, and MARTINI changed their vote from "no" to "aye." So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. The Chair will announce that under the agreement, there are 38 minutes remaining for debate on the amendments.

AMENDMENT OFFERED BY MR. YOUNG OF

ALASKA

Mr. YOUNG of Alaska. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. YOUNG of Alaska:

On page 13, beginning on line 10, strike "113 passenger motor vehicles, of which 59 are for police-type use and 88 are for replacement only" and insert instead "54 passenger motor vehicles, none of which are for police-type use".

On page 14, beginning on line 3, strike "Provided, That the United States Fish and Wildlife Service may accept donated aircraft as replacements for existing aircraft: *Provided further:*" and insert instead "*Provided*".

On page 9, line 22, insert "(less \$885,000)" before ", to remain".

On page 27, line 23, insert "(plus \$851,000)" before ", to which".

Mr. YOUNG of Alaska (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Alaska?

There was no objection.

□ 2230

Mr. YOUNG of Alaska. Mr. Chairman, I will not take a great deal of time. This is a very simple amendment.

What my amendment does, very frankly, is to strike the funding for 59 new vehicles for the United States Fish and Wildlife Service for police activities and two airplanes for the Fish and Wildlife Service. It is my strong feeling that these are not needed at this time, and, in fact, these monies should be transferred, and that is what my amendment does, to the BIA.

Mr. REGULA. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of Alaska. I yield to the gentleman from Ohio.

Mr. REGULA. Mr. Chairman, we are prepared to accept this amendment on this side, and concur in it.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of Alaska. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, I am prepared to accept this amendment, but the gentleman from Massachusetts [Mr. STUDDS] has a question.

Mr. STUDDS. Mr. Chairman, if the gentleman will yield, would the gentleman explain why he strikes the proviso that the Fish and Wildlife Service may accept donated aircraft?

Mr. YOUNG of Alaska. Mr. Chairman, reclaiming my time, there are two things: The Fish and Wildlife Service now has an exorbitant amount of aircraft that they provide, and I would not like to get into the subject totally tonight.

In my State alone we have over 110 aircraft. There are plenty of aircraft to be chartered out, and my argument all along has been every time they acquired aircraft, if it is from the military or any other place, it takes tax dollars to maintain and operate those aircraft, in direct competition with aircraft that are available for contract. I can go to Alaska, and I hope you have a chance, the gentleman has been to Alaska, and we can go on the turbo-goose, we can go into everything but a big jet.

I am saying it is time we get out of this business. I am not striking the aircraft that they have now, but the two aircraft they have requested, I am saying no more. Until they can come to me and justify that aircraft, they can show what the need is, I do not think we ought to be having any more aircraft for them.

Mr. OBEY. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of Alaska. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, let me make certain that I understand this amendment. The gentleman is striking the ability for the agency to receive aircraft, two of them.

Mr. YOUNG of Alaska. Two new ones. And I am also striking the 113 passenger vehicles, the 54 remaining for them, the 59 for police work I am striking, because they never justified the use of those vehicles, and I am transferring that money to the BIA.

Mr. OBEY. These are enforcement vehicles that have been requested by the agency?

Mr. YOUNG of Alaska. Apparently they were requested by the agency, but I do not believe they have been justified, and I really will tell you sincerely, kind sir, that one of our biggest problems, they request these vehicles, they have not shown where they are going to be used; I am letting them purchase the 54, but not the 113.

Mr. OBEY. Could I ask what testimony the committee has taken that indicates that these are not needed?

Mr. YOUNG of Alaska. Well, I am not on the committee, and, very frankly, I just know I am on the authorizing committee, and we are going to review the Fish and Wildlife Service and all of the other agencies that come before my committee. I have not had time to do that, that is all. We will do it. If they can justify it, we will go forth at a later date.

By the way, we will have time as it goes to the Senate and goes to conference, the gentleman from Washington and the gentleman from Ohio, if they are in fact needed and can be justified, that can be handled at a later date. But, frankly, I am concerned that the money is being spent by these agencies when they could be spent in other areas. Now, that is what I am saying here.

Mr. OBEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I am very dubious about accepting this amendment at this point. And the reason I say that is because, as you know, in many regions of the country, I know the West is one, I know certainly in my own State, there are a number of organizations, malicious and otherwise, who simply do not like the idea that Federal agencies are purchasing or receiving additional equipment which can be used in law enforcement. I really do not believe that their judgments ought to supersede the judgments of agencies who we charge with the responsibility to enforce the law.

I respect people's rights to join any organization they want, but frankly, I am suspicious of many of the forces in this society who are so suspicious of law enforcement officials, whether they be Federal or State officials, that I do not believe that we should be making a decision like this, especially at this late hour. So I do not like to do it.

Mr. REGULA. Mr. Chairman, would the gentleman yield?

Mr. OBEY. I yield to the gentleman from Ohio.

Mr. REGULA. Mr. Chairman, I have been assured by the gentleman from Alaska that he will hold a hearing on this issue prior to the conference on this bill, and if the evidence would indicate that these aircraft are important to law enforcement, I think we can deal with it in the conference committee.

Mr. OBEY. Mr. Chairman, reclaiming my time, I thank the gentleman for that assurance, but let me be very blunt. I know there are a lot of militia organizations around this country that do not like to see these agencies get additional equipment that can be used in law enforcement. I must confess that I am extremely concerned that this may be another one of those cases.

So under those circumstances, I do not believe we ought to accept the amendment, and I am going to feel required to push this to a rollcall vote.

Mr. VENTO. Mr. Chairman, will the gentleman yield?

Mr. OBEY. I yield to the gentleman from Minnesota.

Mr. VENTO. Mr. Chairman, I thank the gentleman for yielding, and I think we really ought to understand whether any of these land management agencies have vast responsibilities. We represent and have had in the past a tremendous amount of testimony on illegal drugs entering the country. And very often we have found that the various land management agencies are absolutely key to in fact working with the law enforcement agencies, whether it is the DEA or whether it is the local law enforcement agencies.

Some agencies, as a matter of fact, these land management agencies, have exclusive jurisdiction in some of the remote areas in terms of law enforcement, in terms of enforcement of activities in those lands. The gentleman from Alaska represents a state that has a number of areas that maintains exclusive jurisdiction. I know this just deals with the Fish and Wildlife Service, but the fact of the matter is it is an issue that has brought implications.

We have repeatedly asked for hearings on topics in fact dealing with the problems and the threats to such law enforcement agencies in this instance. And if we are going to take away from them the very tools that they need to do that job, I would have significant concerns about such an amendment.

I just think that the fact is that on an arbitrary basis, coming up here with no testimony from the agency, obviously this was put forth, was looked at by the committee. I have heard no testimony that suggests that they do not need this. I mean without aircraft in Alaska, you do not really get around. You really cannot do your job in that particular instance. We know that there is a greater and greater problem, and many of the problems, frankly, many of the problems, frankly, relate to the fact that in terms of not having and having inadequate personnel on

the ground for any of these land management agencies, including the Fish and Wildlife Service. So often they delegate and collaborate and work with other agencies or State agencies. But if they do not have the tools and the resources, we are simply lining them up for failure in terms of these particular issues, and I understand the good faith the gentleman brings this amendment forward with, but I think it has rather significant ramifications, and I think the gentleman from Wisconsin has picked up on it, and I thank the gentleman for yielding.

Mr. OBEY. Mr. Chairman, I thank the gentleman, and I say that I will feel required to push this to a rollcall vote.

Mr. REGULA. Mr. Chairman, I move to strike the requisite number of words.

I think we have had the assurance of the chairman of the Natural Resources Committee that there will be a hearing on this. This bill does not take effect until October 1. We will have a conference committee in September. If the hearing indicates that there is a need, I have been assured by the gentleman that we can deal with that in conference and ensure that there is adequate equipment.

I think the point is accurate; it is not just getting a donation of an airplane. Again, it is the operating costs that factor in. So it does not stop with the airplane.

Mr. YOUNG of Alaska. Mr. Chairman, will the gentleman yield?

Mr. REGULA. I yield to the gentleman from Alaska.

Mr. YOUNG of Alaska. May I suggest, I see my good friend from California and I listened to my good friend from Wisconsin, and it has nothing to do with the militia or any other thing. What I am suggesting respectfully, have not seen the justification for this amount of new vehicles. Remember, this is what we call roaded areas. They may be needed. But we have not so far found out if that need is true.

Second, the aircraft, may I stress, is nothing new. Right now they have a humongous fleet of aircraft operating all across the United States at the taxpayers' cost, and very frankly cannot justify them. I have been fighting this issue for the last 15 years, as I was in the minority. And I will tell you right up front that they cannot come to this House or this committee or any other committee and say that they can truly justify the cost to the taxpayer for this fleet of aircraft. That is all I am saying.

They want two new airplanes. That is wrong. This has nothing to do with the militia or anything else. I am saying if you look at the moneys being spent, this is incorrect. You can say what you want to say.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. REGULA. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, I would ask the gentleman from Ohio, though I

have the greatest respect and admiration for our friend from Alaska, but I would feel a lot better if it was the Appropriations Committee or Interior that had the oversight hearing and we brought up the Fish and Wildlife Service and spent a morning and took a look at this so we could assure our colleagues that we are doing the right thing here. As I said, I am willing to go along, it is late at night, but I think if we could have, say a one-morning hearing, we could get to the bottom of this.

Mr. REGULA. Reclaiming my time, I do plan to have oversight hearings and we will certainly include one on this prior to conference.

Mr. OBEY. Mr. Chairman, will the gentleman yield?

Mr. REGULA. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, what mystifies me is I thought that appropriation hearings on budgets were in essence oversight hearings. I had the impression that what we had just been told is that no testimony had been collected which indicated that the agency did not need this equipment.

Mr. REGULA. Mr. Chairman, reclaiming my time, I do not know that we had testimony that indicated a need. I think we just accepted the budget justifications that were offered by the department. It is kind of a routine thing, but I think the issue has been raised, and therefore, prior to conference we should have an oversight hearing in our Appropriations subcommittee. We have had a huge workload, and I think this indicates a need for that type of a hearing.

Mr. MILLER of California. Mr. Chairman, I move to strike the last word.

Mr. Chairman, what we are being asked to do here is to reduce the law enforcement capability of the Fish and Wildlife Service by limiting their ability to purchase vehicles that they have deemed and the committee has already passed on as being important to their law enforcement capabilities so we can take that money away and give half of it to pay attorney's fees.

This is a law enforcement agency, or an agency that has law enforcement responsibilities to deal with poachers, to deal with people who traffic in illegal game and illegal protected mammals under the Marine Mammal Act and other such acts, airborne hunting acts, where people go out and illegally slaughter animals, and this is how they enforce the law.

□ 2245

Now what we are going to do is decide to reduce that, so we can pay a bunch of attorneys half of that money to pay the people in Alaska, with no showing that that is necessary, and no showing that this need does not exist. However, here it is at quarter to 11 at night and we are going to make this decision.

The Members would not do this to any other law enforcement agency in the country at quarter to 11 at night,

but somehow they decide they can just dismiss the claims of these individuals, actually sworn officers, people out there enforcing the laws of the land, and decide they are just going to willy-nilly take away from them the necessary resources, and even deny them the ability to receive donated planes that they use in carrying out these activities on their behalf.

Mr. Chairman, I think this is a poorly thought out amendment. As has already been determined, we do not have the information to make this decision, but they are giving the benefit of the doubt to the attorneys' fees over law enforcement agents for the Fish and Wildlife Service. I would hope Members would reject the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Alaska [Mr. YOUNG].

The question was taken; and the Chairman announced that the ayes appeared to have it.

RECORDED VOTE

Mr. OBEY. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 281, noes 117, not voting 36, as follows:

[Roll No. 510]

AYES—281

Allard	Crapo	Hall (TX)
Archer	Cremeans	Hancock
Armey	Cubin	Hansen
Bachus	Cunningham	Harman
Baesler	Danner	Hastert
Baker (CA)	Davis	Hastings (WA)
Ballenger	de la Garza	Hayes
Barcia	Deal	Hayworth
Barr	DeFazio	Hefley
Barrett (NE)	DeLay	Heineman
Bartlett	Diaz-Balart	Herger
Barton	Dicks	Hilleary
Bass	Dooley	Hilliard
Bateman	Doolittle	Hobson
Bereuter	Dornan	Hoekstra
Bilbray	Doyle	Hoke
Bilirakis	Dreier	Holden
Bliley	Duncan	Horn
Blute	Dunn	Hostettler
Boehlert	Edwards	Houghton
Boehner	Ehlers	Hunter
Bonilla	Ehrlich	Hutchinson
Brewster	Emerson	Hyde
Browder	English	Inglis
Brownback	Ensign	Istook
Bryant (TN)	Eshoo	Jacobs
Bunn	Everett	Johnson (CT)
Bunning	Ewing	Johnson, Sam
Burr	Farr	Jones
Burton	Fawell	Kanjorski
Buyer	Fazio	Kaptur
Callahan	Flanagan	Kasich
Calvert	Foley	Kelly
Camp	Forbes	Kim
Canady	Fowler	King
Cardin	Fox	Kingston
Castle	Franks (CT)	Klink
Chabot	Franks (NJ)	Klug
Chambliss	Frelinghuysen	Knollenberg
Chapman	Frisa	Kolbe
Chenoweth	Funderburk	LaHood
Christensen	Ganske	Largent
Chrysler	Gekas	Latham
Clement	Geren	LaTourette
Clinger	Gilchrest	Laughlin
Coble	Gillmor	Lazio
Coburn	Gilman	Leach
Collins (GA)	Goodlatte	Lewis (CA)
Combest	Goodling	Lewis (KY)
Condit	Gordon	Lightfoot
Cooley	Goss	Lincoln
Cox	Graham	Linder
Coyne	Gunderson	Livingston
Cramer	Gutknecht	LoBiondo
Crane	Hall (OH)	Longley

Lucas	Pickett	Stearns
Manzullo	Pombo	Stenholm
Martini	Pomeroy	Stockman
Mascara	Porter	Stump
McCarthy	Portman	Stupak
McCollum	Poshard	Talent
McDade	Quillen	Tanner
McHugh	Quinn	Tate
McInnis	Radanovich	Taylor (MS)
McIntosh	Rahall	Taylor (NC)
McKeon	Ramstad	Thomas
McNulty	Regula	Thornberry
Metcalfe	Riggs	Thornton
Meyers	Roberts	Thurman
Mica	Rogers	Tiahrt
Miller (FL)	Rohrabacher	Torkildsen
Minge	Ros-Lehtinen	Traficant
Molinari	Roth	Tucker
Mollohan	Roukema	Upton
Montgomery	Royce	Visclosky
Moorhead	Salmon	Vucanovich
Morella	Sanford	Waldboltz
Murtha	Saxton	Walker
Myers	Schaefer	Walsh
Myrick	Schiff	Wamp
Neal	Seastrand	Weldon (FL)
Nethercutt	Sensenbrenner	Weldon (PA)
Ney	Shadegg	Weller
Norwood	Shaw	White
Nussle	Shays	Wicker
Ortiz	Sisisky	Wilson
Orton	Skeen	Wise
Oxley	Skelton	Wolf
Packard	Smith (MI)	Wyden
Paxon	Smith (NJ)	Young (AK)
Payne (VA)	Smith (WA)	Young (FL)
Peterson (FL)	Solomon	Zeliff
Peterson (MN)	Souder	Zimmer
Petri	Spence	

NOES—117

Abercrombie	Gejdenson	Oberstar
Andrews	Gephardt	Obey
Barrett (WI)	Gonzalez	Olver
Becerra	Gutierrez	Owens
Beillonson	Hamilton	Pallone
Bentsen	Hastings (FL)	Pastor
Berman	Hinchee	Payne (NJ)
Bevill	Hoyer	Pelosi
Bishop	Jackson-Lee	Rangel
Bonior	Jefferson	Reed
Borski	Johnson (SD)	Rivers
Boucher	Johnson, E.B.	Roemer
Brown (CA)	Johnston	Roybal-Allard
Brown (FL)	Kennedy (MA)	Rush
Brown (OH)	Kennedy (RI)	Sabo
Bryant (TX)	Kennelly	Sanders
Clayton	Kildee	Sawyer
Clyburn	Klecicka	Schroeder
Coleman	Lantos	Schumer
Collins (IL)	Levin	Scott
Conyers	Lewis (GA)	Serrano
DeLauro	Lofgren	Skaggs
Dellums	Lowey	Slaughter
Deutsch	Luther	Spratt
Dingell	Maloney	Stark
Dixon	Manton	Stokes
Doggett	Markey	Studds
Durbin	Matsui	Tejeda
Engel	McDermott	Thompson
Evans	McHale	Torricelli
Fattah	McKinney	Towns
Fields (LA)	Meehan	Velazquez
Filner	Meek	Vento
Flake	Menendez	Waters
Foglietta	Mfume	Watt (NC)
Ford	Miller (CA)	Waxman
Frank (MA)	Mineta	Whitfield
Frost	Mink	Woolsey
Furse	Nadler	Wynn

NOT VOTING—36

Ackerman	Greenwood	Richardson
Baker (LA)	Hefner	Rose
Baldacci	LaFalce	Scarborough
Bono	Lipinski	Shuster
Clay	Martinez	Smith (TX)
Collins (MI)	McCrery	Tauzin
Costello	Moakley	Torres
Dickey	Moran	Volkmer
Fields (TX)	Neumann	Ward
Gallely	Parker	Watts (OK)
Gibbons	Pryce	Williams
Green	Reynolds	Yates

□ 2304

The Clerk announced the following pairs:

On this vote:
 Mr. Watts of Oklahoma for, with Mr. Richardson against.
 Mr. Greenwood for, with Mr. Moakley against.

Mr. MFUME changed his vote from "aye" to "no."
 Messrs. BASS, ZELIFF, and DEFAZIO changed their vote from "no" to "aye."

So the amendment was agreed to.
 The result of the vote was announced as above recorded.

AMENDMENTS OFFERED BY MR. SANDERS

Mr. SANDERS. Mr. Chairman, I offer amendments, and I ask unanimous consent that they be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from Vermont?

There was no objection.
 The CHAIRMAN. The Clerk will designate the amendments.

The text of the amendments is as follows:

Amendments offered by Mr. SANDERS: Page 37, line 19, strike "\$55,982,000" and insert "\$53,919,000".

Page 75, strike line 14 through 17, and insert "For expenses necessary for the Advisory Council on Historic Preservation, \$3,063,000".

Mr. SANDERS. Mr. Chairman, this amendment is very simple, and I want to move it quickly. It transfers \$2 million from the salary and expenses of the Department of the Interior into the Council for Historic Preservation. This is a relatively small sum of money, but it is extremely important for historic preservation.

Without this amendment, the bill provides for the elimination of the Advisory Council for Historic Preservation. This amendment saves the Council and funds it at the level requested by the Clinton administration. The Council plays an essential role in historic preservation when the Federal Government's actions, like plans to build a highway, threaten historic preservation.

When the Federal Government's actions, like plans to build a highway, threaten historic properties, there is a consultation procedure that promotes input from the local community preservation interests and private property interests. Without the Advisory Council, special interests would have too great a voice in the process.

The Council is extremely important, because many federally funded projects have a potentially devastating impact on our historical and cultural resources. Thanks to the Advisory Council, historical landmarks throughout the Nation have been rehabilitated rather than replaced. But today, Federal projects threaten many sensitive historic buildings and districts. Those communities have a right to be heard, and that is what this amendment is all about.

This is an issue of balance. Special interests with goals that are inconsistent with historic preservation already have a significant advantage. They

have the political clout to lobby the Federal Government and trample on local community interests. We need to continue allowing the communities to have a voice, and that is what this amendment is about.

Mr. Chairman, everyone benefits from historic preservation. In a rapidly changing world, it is imperative for our children to understand their roots, how their communities evolved, and where they came from. What this amendment does is transfer \$2 million from the bureaucracy into a council that has historically done an excellent job, and I would urge the support of my colleagues for this.

Mr. VENTO. Mr. Chairman, will the gentleman yield?

Mr. SANDERS. I yield to the gentleman from Minnesota.

Mr. VENTO. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, it is late in the night. The gentleman is bringing a very important amendment to the House. I think most Members are not probably aware of what the Advisory Council on Historic Preservation does, but, as the gentleman has pointed out, they work as an interagency function.

As an example, when we were having difficulties with NASA in some structures that had historic importance with regards to our entire culture in development of the space age, they intervened and worked out and negotiated an agreement between the agencies. They had a high-profile organization with various appointments, individuals very often that are distinguished, that many times are professionals and an excellent staff. They have just done a tremendous amount of work in terms of the national government and the agencies that we have and, of course, in terms of training.

Now, as I said earlier, if the gentleman would continue to yield, our State Historic Preservation Officers are really carrying out national policy with regards to historic standards. What this agency has done is, of course, set up training programs, which keeps them abreast of many of the issues and negotiates settlements. For the amount of dollars, obviously, it is a difficult amendment, because it removes money from our beloved Secretary of Interior, Bruce Babbitt's shop. But, nevertheless, I think that he does not necessarily have always the support. The Park Service does not have the high-profile position, but this organization, these appointments have served us many times over.

So I know that my colleagues face difficult decisions here. I think this is one that we would do well to keep, considering the scarce dollars we have and how we can best stretch that to meet these needs. They are fulfilling a good function. I would hope my colleagues, in spite of the late hour, would listen to the amendment.

Mr. Chairman, I think this underlines and provides a very important Federal function between our agencies

and between our States with the Federal statement.

Mr. REGULA. Mr. Chairman, I move to strike the requisite number of words.

□ 2310

I am somewhat surprised at my colleagues from the other side of the aisle wanting to give this vote of no confidence in their Secretary of the Interior. But apparently that is what the thrust of this would be.

Mr. DICKS. If the gentleman would yield, he might help pass this amendment if he keeps putting that out.

Mr. REGULA. I would point out our subcommittee reduced the office of the Secretary more than 13 percent below the enacted level of \$62.5 million, and this is one of the highest cuts proportionally that we took, and I do not think it is fair to the Secretary to take any more.

Now, that is on the side of where the money is coming from. Where is it going? It is going, as proposed in the gentleman's amendment, to the Advisory Council on Historic Preservation, nice to have, nice to do, but not needed, because the law very clearly says that every agency has to take into account the impact of its activities on the historic resources.

They already have to do it by law. Sure, they can get an advisory council to do some paper and send it over. They do not have to pay any attention to it. The law does not require that they do anything with the advice they are given by the advisory council, and people enjoy serving on the advisory council, and it is nice to have, but it is \$3 million.

As we went through the list of priorities, we felt that this is something we can live without. If we had lots more money, that would be one thing, but I do not want to penalize the Secretary of the Interior any further than we have already. He has a lot of responsibilities, and I would think that the gentleman from Minnesota certainly would not want to do that to his Secretary.

Mr. VENTO. If the gentleman would yield, I appreciate the gentleman's defense of my beloved Secretary Bruce Babbitt. I must say, though, that, and I hope that we can rectify some of the cuts and make adjustments in terms of providing for the opportunity for the advisory council, I think we have to look at the record in terms of the work that this council has done. This has been a working council. This has not been an honorific. These are important works; in other words in the absence of their work, many agreements that we have had between the agencies simply would not have taken place.

So I do not think we want to underestimate the work that they have done and that agencies will do this on their own. Yet they will not.

Mr. REGULA. Reclaiming my time, I think, as the gentleman has pointed out, it is nice to have, but there are a

lot of things that are nice to have. Here is an opportunity to save, in this round, \$2 million. We leave them a million to close out. In the future we will be saving \$3 million year after year after year, and that is what we are trying to do in this bill is to get on a glide path to savings that will benefit the taxpayers.

They have no statutory responsibilities. It is nice to have, but we do not think it is nearly as important as having the money in the Secretary's office to administer the huge agency that is known as the Department of the Interior, and we strongly oppose this amendment.

Mr. ENGLISH of Pennsylvania. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in support of the Sanders amendment, and let me say I am going to keep my remarks very brief.

But I think this is a very significant amendment. By protecting and continuing the Advisory Council on Historic Preservation, we will be supporting local historic preservation. In my view, this is extremely important because this is the sort of activity that protects our cultural treasures. We are voting tonight, if we vote for this amendment, for our historical buildings and properties, for our archaeological sites, for our cultural districts, and for a council which has demonstrated that it can be a catalyst for local preservation efforts.

May I note that this amendment provides no additional cost to the taxpayers. What we are doing is transferring resources for the bureaucrats to historic preservation, and I think that is very important.

I urge my colleagues to support this amendment.

Mr. KINGSTON. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I think everything has been said except for one thing. This is not a huge advisory council, and maybe that is one reason why many Members have never heard of it. They do not think what it does is very significant.

If you live in an area where there is a big historic preservation movement or even a small one, this advisory council is there. Their work is very important, and I do support the amendment and appreciate the gentleman for offering it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Vermont [Mr. SANDERS].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. SANDERS. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and this were—ayes 267, noes 130, not voting 37, as follows:

[Roll No. 511]

AYES—267

Abercrombie	Gejdenson	Morella
Andrews	Geren	Nadler
Bachus	Gilchrest	Neal
Baesler	Gilman	Ney
Barcia	Gonzalez	Oberstar
Barr	Gordon	Ortiz
Barrett (WI)	Goss	Orton
Bartlett	Gutierrez	Owens
Bateman	Gutknecht	Pastor
Becerra	Hall (OH)	Payne (NJ)
Bentsen	Hall (TX)	Payne (VA)
Bereuter	Hamilton	Pelosi
Berman	Hansen	Peterson (FL)
Bilbray	Hastings (FL)	Peterson (MN)
Bilirakis	Hayes	Pickett
Bishop	Hefley	Pomeroy
Blute	Heineman	Quillen
Boehlert	Hilliard	Quinn
Boehner	Hobson	Rahall
Bonior	Holden	Ramstad
Borski	Horn	Reed
Boucher	Houghton	Riggs
Brewster	Hyde	Rivers
Browder	Jackson-Lee	Roberts
Brown (OH)	Jacobs	Roemer
Bryant (TX)	Jefferson	Rogers
Bunning	Johnson (CT)	Ros-Lehtinen
Callahan	Johnson (SD)	Roybal-Allard
Calvert	Johnson, E.B.	Rush
Castle	Johnston	Sanders
Chambliss	Jones	Sanford
Chapman	Kanjorski	Sawyer
Clayton	Kaptur	Schaefer
Clement	Kelly	Schiff
Clinger	Kennedy (MA)	Schroeder
Clyburn	Kennedy (RI)	Schumer
Coble	Kennelly	Scott
Coleman	Kildee	Sensenbrenner
Collins (GA)	Kim	Serrano
Collins (IL)	Kingston	Shaw
Combest	Kleczka	Shays
Condit	Klink	Sisisky
Conyers	Klug	Skaggs
Coyne	Knollenberg	Skelton
Cramer	LaHood	Slaughter
Cremeans	Lantos	Smith (NJ)
Cunningham	LaTourette	Solomon
Danner	Laughlin	Souder
de la Garza	Leach	Spence
DeFazio	Levin	Spratt
DeLauro	Lewis (CA)	Stearns
Dellums	Lewis (GA)	Stenholm
Deutsch	Lewis (KY)	Stupak
Dicks	Lightfoot	Talent
Dixon	Lincoln	Tanner
Doggett	Linder	Taylor (MS)
Dooley	LoBiondo	Tejeda
Dornan	Lofgren	Thomas
Doyle	Longley	Thompson
Dreier	Lowe	Thornton
Duncan	Luther	Thurman
Dunn	Maloney	Tiahrt
Durbin	Manton	Torkildsen
Edwards	Markey	Torres
Ehlers	Martini	Torricelli
Ehrlich	Mascara	Towns
Emerson	McCarthy	Traficant
Engel	McCollum	Tucker
English	McDermott	Upton
Eshoo	McHale	Velazquez
Evans	McHugh	Vento
Everett	McIntosh	Visclosky
Farr	McKeon	Waldholtz
Fattah	McKinney	Walsh
Fields (LA)	McNulty	Wamp
Filner	Meehan	Waters
Flake	Meek	Watt (NC)
Flanagan	Menendez	Waxman
Foglietta	Metcalf	Weldon (PA)
Foley	Meyers	Weller
Forbes	Mfume	Whitfield
Ford	Mica	Wilson
Fowler	Miller (FL)	Wise
Fox	Mineta	Woolsey
Franks (CT)	Minge	Wyden
Franks (NJ)	Mink	Wynn
Frelinghuysen	Molinari	Young (AK)
Frost	Mollohan	Young (FL)
Furse	Montgomery	Zimmer

NOES—130

Allard	Barrett (NE)	Bliley
Archer	Barton	Bonilla
Armey	Bass	Brown (CA)
Baker (CA)	Beilenson	Brown (FL)
Ballenger	Bevill	Brownback

Bryant (TN)	Gunderson	Packard
Bunn	Hancock	Pallone
Burr	Hastert	Paxton
Burton	Hastings (WA)	Petri
Buyer	Hayworth	Pombo
Camp	Herger	Porter
Canady	Hilleary	Portman
Cardin	Hinchey	Poshard
Chabot	Hoekstra	Radanovich
Chenoweth	Hoke	Rangel
Christensen	Hostettler	Regula
Chrysler	Hoyer	Rohrabacher
Coburn	Hunter	Roth
Cooley	Hutchinson	Roukema
Cox	Inglis	Royce
Crane	Johnson, Sam	Sabo
Crapo	Kasich	Salmon
Cubin	King	Saxton
Davis	Kolbe	Seastrand
Deal	Largent	Shadegg
DeLay	Latham	Skeen
Diaz-Balart	Lazio	Smith (MI)
Dickey	Livingston	Smith (WA)
Dingell	Lucas	Stockman
Doolittle	Manzullo	Stokes
Ensign	Matsui	Studds
Ewing	McDade	Stump
Fawell	McInnis	Tate
Fazio	Miller (CA)	Taylor (NC)
Frank (MA)	Moorhead	Thornberry
Frisa	Moran	Vucanovich
Funderburk	Myers	Walker
Ganske	Myrick	Weldon (FL)
Gekas	Nethercutt	White
Gephardt	Norwood	Wicker
Gillmor	Nurwood	Wick
Goodlatte	Obey	Wolf
Goodling	Olver	Zeliff
Graham	Oxley	

NOT VOTING—37

Ackerman	Hefner	Rose
Baker (LA)	Istook	Scarborough
Baldacci	LaFalce	Shuster
Bono	Lipinski	Smith (TX)
Clay	Martinez	Stark
Collins (MI)	McCreary	Tauzin
Costello	Moakley	Volkmer
Fields (TX)	Murtha	Ward
Gallegly	Neumann	Watts (OK)
Gibbons	Parker	Williams
Green	Pryce	Yates
Greenwood	Reynolds	
Harman	Richardson	

□ 2333

The Clerk announced the following pair:

On this vote:

Mr. Watts of Oklahoma for, with Mr. Bono against.

Messrs. LONGLEY, CHAMBLISS, and CREMEANS changed their vote from "no" to "aye."

Mr. ZELIFF changed his vote from "aye" to "no."

So the amendments were agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. MICA

Mr. MICA. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. MICA: Page 17, line 21, strike "\$14,300,000" and insert "\$29,300,000".

Page 18, line 25, strike "\$686,944,000" and insert "\$671,944,000".

Mr. MICA. Mr. Chairman, it is really a great honor and privilege to serve in Congress, but it is also an important responsibility. And tonight as we conclude our work on the Department of the Interior appropriations bill, we make a bunch of choices. We decide whether we are really going to do things because we are dealing with the

people's moneys and expenditures of public funds.

Tonight we decide whether we are going to spend money on administration. Tonight we decide whether we are going to spend money on studies. Tonight we decide whether we are going to spend money on various new programs.

My amendment simply takes \$15 million from the USGS, U.S. Geological Survey, which has an increase of \$112 million in this budget over the previous years expenditures and says, we will put this into the State/Federal land acquisition fund.

Earlier tonight we had 177 votes for people who believed in a State and Federal acquisition land program.

This is not a Federal land acquisition. This is the money when you come to the Department of the Interior and they say there are no funds. But let me tell you what you will have if we do not pass my amendment. You will have studies—and I have nothing against the U.S. Geological Survey and their responsibilities since 1879 to conduct studies, and if we expand it another \$100 million. I am only taking a small amount of that money for a purpose that I think is reasonable.

Let me ask you, what will we do, 10, 20 years from now? Will we take our children and grandchildren to Florida or to Nevada or to your State, California or wherever and say, my son, my daughter, my grandson, my granddaughter, look at this beautiful study. We set the priorities for this Congress. They have increased the studies and funding for studies by \$112 million, whether it is biological survey, whether it is studies for the USGS.

We could line up our children and say, look at the beautiful trucks. We made a decision on vehicles and airplanes tonight. We are making a decision on whether there will be resources.

On the Republican side, the majority side, we have said, let us give responsibilities to State and local government, and let me tell you what this bill says. There are no funds provided for State grant programs. Read it. Get the bill. If all else fails, read the bill, page 39.

I tell you, when your State and your local governments come to you or when you have a project and come to the Department of the Interior and they say there are no funds, this \$15 million transfer, we are not cutting anything, it is a transfer, set some priorities. So we have an opportunity tonight and a responsibility to set those priorities.

So my State does not have another five years. My state and my districts do not have another five years. Maybe you come from some of those areas. Out of the millions and billions of dollars that we are, if we cannot put \$15 million in the priority of state funding for these projects, there is something wrong.

This amendment will not deny access to anyone. This will not spend a penny

on any lands that the people do not want or the State or localities do not want purchased.

I am telling my colleagues that this provides a very limited resource and a very limited amount for a very noble purpose of which every one of you have an important interest.

It will protect land for the future. I cannot change the priorities of the Congress in this bill and redirect money for foreign aid or agricultural subsidies. But tonight you and I can decide whether there are State funds and \$15 million out of billions and billions of appropriations. Would it not be a sad commentary on this House of Representatives if we walked away from here and said that there is not one cent, according to this bill, and again read it, this is the language for state acquisition of public lands.

So my colleagues, I urge the adoption of this amendment. I thank you for your consideration and the late hour.

Mr. REGULA. Mr. Chairman, I move to strike the last word.

Mr. Chairman, first of all, for the Members' information, I believe this will be the last amendment and the last vote. There is one additional amendment, and we are going to accept that amendment.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. REGULA. I yield to the gentleman from Washington.

Mr. DICKS. That is correct. This will be the last one that we will be asking for a vote on.

Mr. REGULA. Secondly, I want to thank all the Members for their patience today. It has been difficult, but we have dealt with a lot of very challenging policy issues. I think we have tried to deal with them in a fair way; you win some and you lose some, but that is the way democracy should work.

Now, let us address this amendment.

We had over 400 letters from Members requesting something, almost every Member in this body, we had 150 Members request land acquisition projects, 150. We denied them all. But now we are being asked to give just one out of 150. If we yield to this one, we will have 149 requests later on that we are supposed to meet.

Let me tell you where the money is coming from. USGS, United States Geologic Survey. What do they do, earthquake research, geology research. They provide enormous amounts of scientific advice to many different agencies, and we are being asked to take \$15 million out of this agency for one land acquisition, even though we have had requests from 150 Members.

The Committee on the Budget clearly said a moratorium on land acquisition. We have tried to respond to that because that became the policy by a vote of this body. I would point out that this money goes essentially to the State of Florida.

The State of Florida should be responsible for their own projects. I am

not questioning the merits of the land acquisition. I am simply saying that, under the circumstances, this is not a good policy and would not be fair to the other 149 Members that we have had to deny land acquisition projects.

Mr. DICKS. Mr. Chairman, if the gentleman will continue to yield, I would urge all of my colleagues on this side of the aisle to support the gentleman from Ohio, Chairman REGULA, in opposition to this amendment. He is absolutely right. We turned down every single individual. We had at least 150, maybe more Members who requested land acquisition funds. We said no to everyone because we just did not have the money. We had to cut this thing back that far.

To make it out of the U.S. Geological Survey, which does earthquake research, deals with volcanoes, deals with some of the most seismic disturbances all over this country. In my judgment that is, and we have already cut it back.

□ 2340

I would say please, on this one, stay with the chairman, let us vote "no" and go home.

Mr. MICA. Mr. Chairman, will the gentleman yield?

Mr. REGULA. I yield to the gentleman from Florida.

Mr. MICA. Mr. Chairman, I would ask the gentleman, is it not true that this bill provides \$6.8 million for land acquisition management, and so we have money for management and administration, and yet we do not have funds for this? Is it not also true that this does not provide any money or guarantee for my State, it provides an opportunity for every one of the 149 Members or whoever came and asked for this? Is it not true in fact that this set a priority and an obligation of this Congress to commit some of these funds for this purpose for the entire country?

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. REGULA. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, let me just make another point here. We asked the Park Service, can we do it? What the gentleman is asking us to do is give money to the Park Service and then make a grant to the State of Florida. The Park Service says it has no legal authority to do that, so we are going to take money away from the U.S. Geological Survey, and legally we cannot even do what the gentleman is asking us to do, so let us please, please, defeat this amendment.

Mr. REGULA. Reclaiming my time, just one point, one additional fact, Mr. Chairman. That is that the USGS does the mapping for this Nation, they did the mapping for the Department of Defense during Desert Storm, it is a vital agency, and I think it is a great mistake to take money from them. We have already cut them, and to cut more would be irresponsible.

Mr. ALLARD. Mr. Chairman, will the gentleman yield?

Mr. REGULA. I yield to the gentleman from Colorado.

Mr. ALLARD. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I am speaking on behalf of myself and as a member of the Committee on the Budget. Regretfully, I stand in opposition to the amendment by my friend, the gentleman from Florida, because we worked hard in the Committee on the Budget trying to get to a balanced budget amendment by 2002.

The task force which I chaired dealt with natural resources and agriculture and research. We said one thing you do not do when you are going broke is you do not build new buildings, you do not acquire new land. We put some restrictions on this. I would just ask for a "no" vote on this amendment that basically earmarks an acquisition of land.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. MICA].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. FALEOMAVAEGA

Mr. FALEOMAVAEGA. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. FALEOMAVAEGA: Page 29, line 15, strike "Provided further," and all that follows through "November 30, 1997:" on line 18.

(Mr. FALEOMAVAEGA asked and was given permission to revise and extend his remarks.)

Mr. FALEOMAVAEGA. Mr. Chairman, this is a noncontroversial amendment. It has the support of the majority, and of the distinguished gentleman from Ohio [Mr. REGULA] from the Subcommittee on Interior of the Committee on Appropriations.

Mr. Chairman, as the ranking member of the House Resources Subcommittee on Native American and Insular Affairs, I rise to offer this amendment on behalf of myself, Mr. RICHARDSON, and Mr. WILLIAMS, to hold the Bureau of Indian Affairs to a May 31, 1996, deadline to report to Congress on the status of Indian Trust Fund Accounts.

Mr. Chairman, the Indian Trust Fund Accounts, the trustee of which is the U.S. Government, have been a disaster. In good faith, the American Indian tribes agreed to permit the U.S. Government to invest the profits from certain oil and gas leases on Indian lands in trusts. These funds were to be used for the benefits of the tribes. In what I consider to be probably the biggest disgrace of this country's history, the Bureau of Indian Affairs managed to lose records or misallocate profits to such an extent that one of the major professional accounting firms has not yet been able to determine the status of these accounts after 4 years, and 20 million dollars' worth of investigations and review.

Mr. Chairman, enough is enough. The Indian tribes and Congress have already been patient for too long. If the BIA cannot find the records after 4 years of looking, they are probably not going to find them in an additional 18 months. Congress, and the Resources Com-

mittee in particular, need this report to make a policy decision on how best to proceed, given the current status of the trust accounts, whatever the status might be.

Many of us on both sides of the aisle have been working on the problems of Indian trust funds for several years. Just last November we passed the American Indian Trust Fund Reform Act of 1994. This act requires that a special trustee for trust funds be named to overhaul the manner in which these funds are managed.

Further, this act calls for the BIA to submit a report to Congress by May 31, 1996, on the reconciliation activities being conducted.

The date of May 31, 1996, was added to the legislation at the request of the Department of the Interior and is more than adequate. By May 1996 we will know if these accounts can be reconciled or not. It is a waste of time and money to continue to extend this process and it is unfair to the Indian tribes who have shown an abundance of restraint throughout.

Mr. Chairman, let's not extend this embarrassing situation any longer. Let's ensure that the various Indian tribes which have been waiting for an accounting of these trusts do not feel compelled to sue the U.S. Government for the financial information to which they are entitled.

Mr. Chairman, I commend my colleagues on the Appropriations Committee, both Mr. YATES and Mr. REGULA, who have been trying to come to grips with this problem for the past several years. I want to earnestly thank the gentlemen for their support on this proposed amendment because I believe this amendment will give the Bureau of Indian Affairs the time it needs to wrap up the reconciliation process and provide Indian tribes and the Congress with the information needed to determine what we need to do thereafter.

I urge my colleagues to support this amendment.

Mr. RICHARDSON. Mr. Chairman. By October 1 of this year we will have spent almost \$20 million in 4 years on an attempt by the Bureau of Indian Affairs to reconcile tribal trust fund accounts. These accounts are comprised mostly of earnings from tribal leases of oil and gas, agriculture, and grazing leases. The BIA is responsible for investing these funds and managing the accounts.

For years these accounts have been mismanaged and the BIA can not even tell the account holders the balance of their accounts. As the legal trustee to these accounts, which total over \$1 billion, this leaves the U.S. extremely vulnerable to liability charges.

The BIA entered into a contract with the accounting firm of Arthur Anderson to conduct a reconciliation of tribal accounts and this Congress has supported that process. The preliminary reports are that they will be unable to reconcile most accounts as they have encountered numerous instances of lost documentation.

Many of us on both sides of the aisle have been working on the problems of Indian trust funds for several years. Just last November we passed the American Indian Trust Fund Reform Act of 1994. This act requires that a special trust for trust funds be named to overhaul the manner in which these funds are managed. Further, this act calls for the BIA to submit a report to Congress by May 31, 1996 on the reconciliation activities being conducted.

This report will tell us which accounts have been reconciled and which could not be. With this knowledge Congress can determine the best and most cost effective process to resolve unreconcilable accounts.

The date of May 31, 1996 was added to the legislation at the request of the Department of the Interior and is more than adequate. By May of 1996 we will know if these accounts can be reconciled or not. It is a waste of time and money to continue to extend this process and it is unfair to the Indian Tribes who have shown an abundance of restraint throughout.

I commend my colleagues on the Appropriations Committee, both Mr. YATES and Mr. REGULA, who have been with me side by side trying to come to grips with this problem for the past several years. I hope you can support me on this one because I believe this amendment will give the Bureau of Indian Affairs the time it needs to wrap up the reconciliation process and provide Indian Tribes and Congress with the information needed to determine the next step.

I urge my colleagues to support The Richardson/Faleomavaega amendment.

Mr. WILLIAMS. Mr. Chairman, I rise today in strong support of the amendment of my colleague striking the date November 30, 1997 as the deadline for the reconciliation report to be submitted by the Bureau of Indian Affairs.

This extension flies in the face of the Trust Funds Management Legislation that became law in 1994. This legislation represented another step in a long journey to restore the covenant between the Federal Government and Native Americans. While the Bureau of Indian Affairs has been authorized to invest Indian trust funds since 1918, it was not until 48 years had passed—in 1966—that the agency began exercising its full investment authority in terms of Indian monies.

Like so much of the relationship between Indian Tribes and the Federal Government, the management of Indian trust funds is replete with mismanagement, lack of accountability, malfeasance and broken promises. As a result of this management hundreds of million dollars in tribal trust funds and individual Indian monies remain unaccounted for, the trust funds legislation recognized that problem and provided a remedy for the hemorrhaging of Indian monies.

But now the Interior Appropriations Committee has decided that the loss of Indian monies really is not that important and that the BIA should be given an additional year and a half beyond the date required by the trust funds legislation to complete the reconciliation report relating to the amount of Indian monies that remain unaccounted for.

This extension seems particularly incongruous in light of the tenor of this Congress—every penny counts—yet the message out of the Interior Appropriations Committee is that every penny counts unless its Indian money.

Please join me in supporting this amendment deleting the extension of the trust funds reconciliation report.

Mr. REGULA. Mr. Chairman, will the gentleman yield?

Mr. FALEOMAVAEGA. I yield to the gentleman from Ohio.

Mr. REGULA. Mr. Chairman, I accept the amendment.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. FALEOMAVAEGA. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, I accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from American Samoa [Mr. FALEOMAVAEGA].

The amendment was agreed to.

The CHAIRMAN. Are there further amendments to title I?

If not, the Clerk will designate title II.

The text of title II is as follows:

TITLE II—RELATED AGENCIES
DEPARTMENT OF AGRICULTURE
FOREST SERVICE
FOREST RESEARCH

For necessary expenses of forest research as authorized by law, \$182,000,000, to remain available until September 30, 1997.

STATE AND PRIVATE FORESTRY

For necessary expenses of cooperating with, and providing technical and financial assistance to States, Territories, possessions, and others and for forest pest management activities, cooperative forestry and education and land conservation activities, \$129,551,000, to remain available until expended, as authorized by law.

NATIONAL FOREST SYSTEM

For necessary expenses of the Forest Service, not otherwise provided for, for management, protection, improvement, and utilization of the National Forest System, for ecosystem planning, inventory, and monitoring, and for administrative expenses associated with the management of funds provided under the heads "Forest Research", "State and Private Forestry", "National Forest System", "Construction", "Fire Protection and Emergency Suppression", and "Land Acquisition", \$1,276,688,000, to remain available for obligation until September 30, 1997, and including 65 per centum of all monies received during the prior fiscal year as fees collected under the Land and Water Conservation Fund Act of 1965, as amended, in accordance with section 4 of the Act (16 U.S.C. 4601-6a(i)): *Provided*, That unobligated and unexpended balances in the National Forest System account at the end of fiscal year 1995, shall be merged with and made a part of the fiscal year 1996 National Forest System appropriation, and shall remain available for obligation until September 30, 1997: *Provided further*, That up to \$5,000,000 of the funds provided herein for road maintenance shall be available for the planned obliteration of roads which are no longer needed.

FIRE PROTECTION AND EMERGENCY
SUPPRESSION

For necessary expenses for forest fire suppression activities on National Forest System lands, for emergency fire suppression on or adjacent to National Forest System lands or other lands under fire protection agreement, and for emergency rehabilitation of burned over National Forest System lands, \$385,485,000, to remain available until expended: *Provided*, That unexpended balances of amounts previously appropriated under any other headings for Forest Service fire activities may be transferred to and merged with this appropriation: *Provided further*, That such funds are available for repayment of advances from other appropriations accounts previously transferred for such purposes.

CONSTRUCTION

For necessary expenses of the Forest Service, not otherwise provided for, \$120,000,000, to remain available until expended, for construction and acquisition of buildings and

other facilities, and for construction and repair of forest roads and trails by the Forest Service as authorized by 16 U.S.C. 532-538 and 23 U.S.C. 101 and 205: *Provided*, That funds becoming available in fiscal year 1996 under the Act of March 4, 1913 (16 U.S.C. 501) shall be transferred to the General Fund of the Treasury of the United States: *Provided further*, That not to exceed \$50,000,000, to remain available until expended, may be obligated for the construction of forest roads by timber purchasers.

LAND ACQUISITION

For expenses necessary to carry out the provisions of the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 4601-4-11), including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the Forest Service, \$14,600,000, to be derived from the Land and Water Conservation Fund, to remain available until expended.

ACQUISITION OF LANDS FOR NATIONAL FORESTS
SPECIAL ACTS

For acquisition of lands within the exterior boundaries of the Cache, Uinta, and Wasatch National Forests, Utah; the Toiyabe National Forest, Nevada; and the Angeles, San Bernardino, Sequoia, and Cleveland National Forests, California, as authorized by law, \$1,069,000, to be derived from forest receipts.

ACQUISITION OF LANDS TO COMPLETE LAND
EXCHANGES

For acquisition of lands, to be derived from funds deposited by State, county, or municipal governments, public school districts, or other public school authorities pursuant to the Act of December 4, 1967, as amended (16 U.S.C. 484a), to remain available until expended.

RANGE BETTERMENT FUND

For necessary expenses of range rehabilitation, protection, and improvement, 50 per centum of all moneys received during the prior fiscal year, as fees for grazing domestic livestock on lands in National Forests in the sixteen Western States, pursuant to section 401(b)(1) of Public Law 94-579, as amended, to remain available until expended, of which not to exceed 6 per centum shall be available for administrative expenses associated with on-the-ground range rehabilitation, protection, and improvements.

GIFTS, DONATIONS AND BEQUESTS FOR FOREST
AND RANGELAND RESEARCH

For expenses authorized by 16 U.S.C. 1643(b), \$92,000, to remain available until expended, to be derived from the fund established pursuant to the above Act.

ADMINISTRATIVE PROVISIONS, FOREST SERVICE

Appropriations to the Forest Service for the current fiscal year shall be available for: (a) purchase of not to exceed 183 passenger motor vehicles of which 32 will be used primarily for law enforcement purposes and of which 151 shall be for replacement; acquisition of 22 passenger motor vehicles from excess sources, and hire of such vehicles; operation and maintenance of aircraft, the purchase of not to exceed two for replacement only, and acquisition of 20 aircraft from excess sources; notwithstanding other provisions of law, existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft; (b) services pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$100,000 for employment under 5 U.S.C. 3109; (c) purchase, erection, and alteration of buildings and other public improvements (7 U.S.C. 2250); (d) acquisition of land, waters, and interests therein, pursuant

to the Act of August 3, 1956 (7 U.S.C. 428a); (e) for expenses pursuant to the Volunteers in the National Forest Act of 1972 (16 U.S.C. 558a, 558d, 558a note); and (f) for debt collection contracts in accordance with 31 U.S.C. 3718(c).

None of the funds made available under this Act shall be obligated or expended to change the boundaries of any region, to abolish any region, to move or close any regional office for research, State and private forestry, or National Forest System administration of the Forest Service, Department of Agriculture, without the consent of the House and Senate Committees on Appropriations and the Committee on Agriculture, Nutrition, and Forestry in the United States Senate and the Committee on Agriculture in the United States House of Representatives.

Any appropriations or funds available to the Forest Service may be advanced to the Fire and Emergency Suppression appropriation and may be used for forest firefighting and the emergency rehabilitation of burned-over lands under its jurisdiction: *Provided*, That no funds shall be made available under this authority until funds appropriated to the "Emergency Forest Service Firefighting Fund" shall have been exhausted.

Funds appropriated to the Forest Service shall be available for assistance to or through the Agency for International Development and the Foreign Agricultural Service in connection with forest and rangeland research, technical information, and assistance in foreign countries, and shall be available to support forestry and related natural resource activities outside the United States and its territories and possessions, including technical assistance, education and training, and cooperation with United States and international organizations.

None of the funds made available to the Forest Service under this Act shall be subject to transfer under the provisions of section 702(b) of the Department of Agriculture Organic Act of 1944 (7 U.S.C. 2257) or 7 U.S.C. 147b unless the proposed transfer is approved in advance by the House and Senate Committees on Appropriations in compliance with the reprogramming procedures contained in House Report 103-551.

No funds appropriated to the Forest Service shall be transferred to the Working Capital Fund of the Department of Agriculture without the approval of the Chief of the Forest Service.

Notwithstanding any other provision of law, any appropriations or funds available to the Forest Service may be used to disseminate program information to private and public individuals and organizations through the use of nonmonetary items of nominal value and to provide nonmonetary awards of nominal value and to incur necessary expenses for the nonmonetary recognition of private individuals and organizations that make contributions to Forest Service programs.

Notwithstanding any other provision of law, money collected, in advance or otherwise, by the Forest Service under authority of section 101 of Public Law 93-153 (30 U.S.C. 185(l)) as reimbursement of administrative and other costs incurred in processing pipeline right-of-way or permit applications and for costs incurred in monitoring the construction, operation, maintenance, and termination of any pipeline and related facilities, may be used to reimburse the applicable appropriation to which such costs were originally charged.

Funds available to the Forest Service shall be available to conduct a program of not less than \$1,000,000 for high priority projects within the scope of the approved budget which shall be carried out by the Youth Conservation Corps as authorized by the Act of

August 13, 1970, as amended by Public Law 93-408.

None of the funds available in this Act shall be used for timber sale preparation using clearcutting in hardwood stands in excess of 25 percent of the fiscal year 1989 harvested volume in the Wayne National Forest, Ohio: *Provided*, That this limitation shall not apply to hardwood stands damaged by natural disaster: *Provided further*, That landscape architects shall be used to maintain a visually pleasing forest.

Any money collected from the States for fire suppression assistance rendered by the Forest Service on non-Federal lands not in the vicinity of National Forest System lands shall be used to reimburse the applicable appropriation and shall remain available until expended as the Secretary may direct in conducting activities authorized by 16 U.S.C. 2101 (note), 2101-2110, 1606, and 2111.

Of the funds available to the Forest Service, \$1,500 is available to the Chief of the Forest Service for official reception and representation expenses.

Notwithstanding any other provision of law, the Forest Service is authorized to employ or otherwise contract with persons at regular rates of pay, as determined by the Service, to perform work occasioned by emergencies such as fires, storms, floods, earthquakes or any other unavoidable cause without regard to Sundays, Federal holidays, and the regular workweek.

To the greatest extent possible, and in accordance with the Final Amendment to the Shawnee National Forest Plan, none of the funds available in this Act shall be used for preparation of timber sales using clearcutting or other forms of even aged management in hardwood stands in the Shawnee National Forest, Illinois.

Funds appropriated to the Forest Service shall be available for interactions with and providing technical assistance to rural communities for sustainable rural development purposes.

Notwithstanding any other provision of law, eighty percent of the funds appropriated to the Forest Service in the National Forest System and Construction accounts and planned to be allocated to activities under the "Jobs in the Woods" program for projects on National Forest land in the State of Washington may be granted directly to the Washington State Department of Fish and Wildlife for accomplishment of planned projects. Twenty percent of said funds shall be retained by the Forest Service for planning and administering projects. Project selection and prioritization shall be accomplished by the Forest Service with such consultation with the State of Washington as the Forest Service deems appropriate.

None of the funds available in this Act shall be used for any activity that directly or indirectly causes harm to songbirds within the boundaries of the Shawnee National Forest.

DEPARTMENT OF ENERGY

FOSSIL ENERGY RESEARCH AND DEVELOPMENT

For necessary expenses in carrying out fossil energy research and development activities, under the authority of the Department of Energy Organization Act (Public Law 95-91), including the acquisition of interest, including defeasible and equitable interests in any real property or any facility or for plant or facility acquisition or expansion, \$384,504,000, to remain available until expended: *Provided*, That no part of the sum herein made available shall be used for the field testing of nuclear explosives in the recovery of oil and gas.

ALTERNATIVE FUELS PRODUCTION

(INCLUDING TRANSFER OF FUNDS)

Monies received as investment income on the principal amount in the Great Plains

Project Trust at the Norwest Bank of North Dakota, in such sums as are earned as of October 1, 1995, shall be deposited in this account and immediately transferred to the General Fund of the Treasury. Monies received as revenue sharing from the operation of the Great Plains Gasification Plant shall be immediately transferred to the General Fund of the Treasury.

NAVAL PETROLEUM AND OIL SHALE RESERVES

For necessary expenses in carrying out naval petroleum and oil shale reserve activities, \$151,028,000, to remain available until expended: *Provided*, That the requirements of 10 U.S.C. 7430(b)(2)(B) shall not apply to fiscal year 1996.

ENERGY CONSERVATION

For necessary expenses in carrying out energy conservation activities, \$552,871,000, to remain available until expended, including, notwithstanding any other provision of law, the excess amount for fiscal year 1996 determined under the provisions of section 3003(d) of Public Law 99-509 (15 U.S.C. 4502), and of which \$16,000,000 shall be derived from available unobligated balances in the Biomass Energy Development account: *Provided*, That \$133,946,000 shall be for use in energy conservation programs as defined in section 3008(3) of Public Law 99-509 (15 U.S.C. 4507) and shall not be available until excess amounts are determined under the provisions of section 3003(d) of Public Law 99-509 (15 U.S.C. 4502): *Provided further*, That notwithstanding section 3003(d)(2) of Public Law 99-509 such sums shall be allocated to the eligible programs as follows: \$107,446,000 for the weatherization assistance program and \$26,500,000 for the State energy conservation program.

ECONOMIC REGULATION

For necessary expenses in carrying out the activities of the Economic Regulatory Administration and the Office of Hearings and Appeals, \$6,297,000, to remain available until expended.

STRATEGIC PETROLEUM RESERVE

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for Strategic Petroleum Reserve facility development and operations and program management activities pursuant to the Energy Policy and Conservation Act of 1975, as amended (42 U.S.C. 6201 et seq.), \$287,000,000, to remain available until expended, of which \$187,000,000 shall be derived by transfer of unobligated balances from the "SPR petroleum account" and \$100,000,000 shall be derived by transfer from the "SPR Decommissioning Fund": *Provided*, That notwithstanding section 161 of the Energy Policy and Conservation Act, the Secretary shall draw down and sell up to seven million barrels of oil from the Strategic Petroleum Reserve:

SPR PETROLEUM ACCOUNT

Notwithstanding 42 U.S.C. 6240(d) the United States share of crude oil in Naval Petroleum Reserve Numbered 1 (Elk Hills) may be sold or otherwise disposed of to other than the Strategic Petroleum Reserve: *Provided*, That outlays in fiscal year 1996 resulting from the use of funds in this account shall not exceed \$5,000,000.

ENERGY INFORMATION ADMINISTRATION

For necessary expenses in carrying out the activities of the Energy Information Administration, \$79,766,000, to remain available until expended: *Provided*, That notwithstanding Section 4(d) of the Service Contract Act of 1965 (41 U.S.C. 353(d)) or any other provision of law, funds appropriated under this heading hereafter may be used to enter into a contract for end use consumption surveys for a term not to exceed eight years: *Provided*

further, That notwithstanding any other provision of law, hereafter the Manufacturing Energy Consumption Survey shall be conducted on a triennial basis.

ADMINISTRATIVE PROVISIONS, DEPARTMENT OF ENERGY

Appropriations under this Act for the current fiscal year shall be available for hire of passenger motor vehicles; hire, maintenance, and operation of aircraft; purchase, repair, and cleaning of uniforms; and reimbursement to the General Services Administration for security guard services.

From appropriations under this Act, transfers of sums may be made to other agencies of the Government for the performance of work for which the appropriation is made.

None of the funds made available to the Department of Energy under this Act shall be used to implement or finance authorized price support or loan guarantee programs unless specific provision is made for such programs in an appropriations Act.

The Secretary is authorized to accept lands, buildings, equipment, and other contributions from public and private sources and to prosecute projects in cooperation with other agencies, Federal, State, private, or foreign: *Provided*, That revenues and other moneys received by or for the account of the Department of Energy or otherwise generated by sale of products in connection with projects of the Department appropriated under this Act may be retained by the Secretary of Energy, to be available until expended, and used only for plant construction, operation, costs, and payments to cost-sharing entities as provided in appropriate cost-sharing contracts or agreements: *Provided further*, That the remainder of revenues after the making of such payments shall be covered into the Treasury as miscellaneous receipts: *Provided further*, That any contract, agreement, or provision thereof entered into by the Secretary pursuant to this authority shall not be executed prior to the expiration of 30 calendar days (not including any day in which either House of Congress is not in session because of adjournment of more than three calendar days to a day certain) from the receipt by the Speaker of the House of Representatives and the President of the Senate of a full comprehensive report on such project, including the facts and circumstances relied upon in support of the proposed project.

No funds provided in this Act may be expended by the Department of Energy to prepare, issue, or process procurement documents for programs or projects for which appropriations have not been made.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

INDIAN HEALTH SERVICE

INDIAN HEALTH SERVICES

For expenses necessary to carry out the Act of August 5, 1954 (68 Stat. 674), the Indian Self-Determination Act, the Indian Health Care Improvement Act, and titles II and III of the Public Health Service Act with respect to the Indian Health Service, \$1,725,792,000 together with payments received during the fiscal year pursuant to 42 U.S.C. 300aaa-2 for services furnished by the Indian Health Service: *Provided*, That funds made available to tribes and tribal organizations through contracts, grant agreements, or any other agreements or compacts authorized by the Indian Self-Determination and Education Assistance Act of 1975 (88 Stat. 2203; 25 U.S.C. 450), shall be deemed to be obligated at the time of the grant or contract award and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation: *Provided further*, That \$12,000,000 shall remain available

until expended, for the Indian Catastrophic Health Emergency Fund: *Provided further*, That \$351,258,000 for contract medical care shall remain available for obligation until September 30, 1997: *Provided further*, That of the funds provided, not less than \$11,306,000 shall be used to carry out the loan repayment program under section 108 of the Indian Health Care Improvement Act, as amended: *Provided further*, That funds provided in this Act may be used for one-year contracts and grants which are to be performed in two fiscal years, so long as the total obligation is recorded in the year for which the funds are appropriated: *Provided further*, That the amounts collected by the Secretary of Health and Human Services under the authority of title IV of the Indian Health Care Improvement Act shall be available for two fiscal years after the fiscal year in which they were collected, for the purpose of achieving compliance with the applicable conditions and requirements of titles XVIII and XIX of the Social Security Act (exclusive of planning, design, or construction of new facilities): *Provided further*, That of the funds provided, \$7,500,000 shall remain available until expended, for the Indian Self-Determination Fund, which shall be available for the transitional costs of initial or expanded tribal contracts, grants or cooperative agreements with the Indian Health Service under the provisions of the Indian Self-Determination Act: *Provided further*, That funding contained herein, and in any earlier appropriations Acts for scholarship programs under the Indian Health Care Improvement Act (25 U.S.C. 1613) shall remain available for obligation until September 30, 1997: *Provided further*, That amounts received by tribes and tribal organizations under title IV of the Indian Health Care Improvement Act, as amended, shall be reported and accounted for and available to the receiving tribes and tribal organizations until expended.

INDIAN HEALTH FACILITIES

For construction, repair, maintenance, improvement, and equipment of health and related auxiliary facilities, including quarters for personnel; preparation of plans, specifications, and drawings; acquisition of sites, purchase and erection of modular buildings, and purchases of trailers; and for provision of domestic and community sanitation facilities for Indians, as authorized by section 7 of the Act of August 5, 1954 (42 U.S.C. 2004a), the Indian Self-Determination Act and the Indian Health Care Improvement Act, and for expenses necessary to carry out the Act of August 5, 1954 (68 Stat. 674), the Indian Self-Determination Act, the Indian Health Care Improvement Act, and titles II and III of the Public Health Service Act with respect to environmental health and facilities support activities of the Indian Health Service, \$236,975,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, funds appropriated for the planning, design, construction or renovation of health facilities for the benefit of an Indian tribe or tribes may be used to purchase land for sites to construct, improve, or enlarge health or related facilities.

ADMINISTRATIVE PROVISIONS, INDIAN HEALTH SERVICE

Appropriations in this Act to the Indian Health Service shall be available for services as authorized by 5 U.S.C. 3109 but at rates not to exceed the per diem rate equivalent to the maximum rate payable for senior-level positions under 5 U.S.C. 5376; hire of passenger motor vehicles and aircraft; purchase of medical equipment; purchase of reprints; purchase, renovation and erection of modular buildings and renovation of existing facilities; payments for telephone service in

private residences in the field, when authorized under regulations approved by the Secretary; and for uniforms or allowances therefor as authorized by law (5 U.S.C. 5901-5902); and for expenses of attendance at meetings which are concerned with the functions or activities for which the appropriation is made or which will contribute to improved conduct, supervision, or management of those functions or activities: *Provided*, That in accordance with the provisions of the Indian Health Care Improvement Act, non-Indian patients may be extended health care at all tribally administered or Indian Health Service facilities, subject to charges, and the proceeds along with funds recovered under the Federal Medical Care Recovery Act (42 U.S.C. 2651-53) shall be credited to the account of the facility providing the service and shall be available without fiscal year limitation: *Provided further*, That notwithstanding any other law or regulation, funds transferred from the Department of Housing and Urban Development to the Indian Health Service shall be administered under Public Law 86-121 (the Indian Sanitation Facilities Act) and Public Law 93-638, as amended: *Provided further*, That funds appropriated to the Indian Health Service in this Act, except those used for administrative and program direction purposes, shall not be subject to limitations directed at curtailing Federal travel and transportation: *Provided further*, That the Indian Health Service shall neither bill nor charge those Indians who may have the economic means to pay unless and until such time as Congress has agreed upon a specific policy to do so and has directed the Indian Health Service to implement such a policy: *Provided further*, That, notwithstanding any other provision of law, funds previously or herein made available to a tribe or tribal organization through a contract, grant or agreement authorized by Title I of the Indian Self-Determination and Education Assistance Act of 1975 (88 Stat. 2203; 25 U.S.C. 450), may be deobligated and reobligated to a self-governance funding agreement under Title III of the Indian Self-Determination and Education Assistance Act of 1975 and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation: *Provided further*, That none of the funds made available to the Indian Health Service in this Act shall be used to implement the final rule published in the Federal Register on September 16, 1987, by the Department of Health and Human Services, relating to eligibility for the health care services of the Indian Health Service until the Indian Health Service has submitted a budget request reflecting the increased costs associated with the proposed final rule, and such request has been included in an appropriations Act and enacted into law: *Provided further*, That funds made available in this Act are to be apportioned to the Indian Health Service as appropriated in this Act, and accounted for in the appropriation structure set forth in this Act: *Provided further*, That the appropriation structure for the Indian Health Service may not be altered without advance approval of the House and Senate Committees on Appropriations.

DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

INDIAN EDUCATION

For necessary expenses for the orderly closure of the Office of Indian Education, \$1,000,000.

OTHER RELATED AGENCIES

OFFICE OF NAVAJO AND HOPI INDIAN
RELOCATION

SALARIES AND EXPENSES

For necessary expenses of the Office of Navajo and Hopi Indian Relocation as authorized by Public Law 93-531, \$21,345,000, to remain available until expended: *Provided*, That funds provided in this or any other appropriations Act are to be used to relocate eligible individuals and groups including evictees from District 6, Hopi-partitioned lands residents, those in significantly substandard housing, and all others certified as eligible and not included in the preceding categories: *Provided further*, That none of the funds contained in this or any other Act may be used by the Office of Navajo and Hopi Indian Relocation to evict any single Navajo or Navajo family who, as of November 30, 1985, was physically domiciled on the lands partitioned to the Hopi Tribe unless a new or replacement home is provided for such household: *Provided further*, That no relocatee will be provided with more than one new or replacement home: *Provided further*, That the Office shall relocate any certified eligible relocatees who have selected and received an approved homesite on the Navajo reservation or selected a replacement residence off the Navajo reservation or on the land acquired pursuant to 25 U.S.C. 640d-10.

INSTITUTE OF AMERICAN INDIAN AND ALASKA
NATIVE CULTURE AND ARTS DEVELOPMENT

PAYMENT TO THE INSTITUTE

For payment to the Institute of American Indian and Alaska Native Culture and Arts Development, as authorized by title XV of Public Law 99-498 (20 U.S.C. 4401 et seq.), \$5,500,000.

SMITHSONIAN INSTITUTION

SALARIES AND EXPENSES

For necessary expenses of the Smithsonian Institution, as authorized by law, including research in the fields of art, science, and history; development, preservation, and documentation of the National Collections; presentation of public exhibits and performances; collection, preparation, dissemination, and exchange of information and publications; conduct of education, training, and museum assistance programs; maintenance, alteration, operation, lease (for terms not to exceed thirty years), and protection of buildings, facilities, and approaches; not to exceed \$100,000 for services as authorized by 5 U.S.C. 3109; up to 5 replacement passenger vehicles; purchase, rental, repair, and cleaning of uniforms for employees: \$309,471,000, of which not to exceed \$32,000,000 for the instrumentation program, collections acquisition, Museum Support Center equipment and move, exhibition reinstallation, the National Museum of the American Indian, the repatriation of skeletal remains program, research equipment, information management, and Latino programming shall remain available until expended and, including such funds as may be necessary to support American overseas research centers and a total of \$125,000 for the Council of American Overseas Research Centers: *Provided*, That funds appropriated herein are available for advance payments to independent contractors performing research services or participating in official Smithsonian presentations.

CONSTRUCTION AND IMPROVEMENTS, NATIONAL
ZOOLOGICAL PARK

For necessary expenses of planning, construction, remodeling, and equipping of buildings and facilities at the National Zoological Park, by contract or otherwise, \$3,000,000, to remain available until expended.

REPAIR AND RESTORATION OF BUILDINGS

For necessary expenses of repair and restoration of buildings owned or occupied by the Smithsonian Institution, by contract or otherwise, as authorized by section 2 of the Act of August 22, 1949 (63 Stat. 623), including not to exceed \$10,000 for services as authorized by 5 U.S.C. 3109, \$24,954,000, to remain available until expended: *Provided*, That contracts awarded for environmental systems, protection systems, and exterior repair or restoration of buildings of the Smithsonian Institution may be negotiated with selected contractors and awarded on the basis of contractor qualifications as well as price.

CONSTRUCTION

For necessary expenses for construction, \$12,950,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, a single procurement for the construction of the National Museum of the American Indian Cultural Resources Center may be issued which includes the full scope of the project: *Provided further*, That the solicitation and the contract shall contain the clause "availability of funds" found at 48 CFR 52.232.18.

NATIONAL GALLERY OF ART

SALARIES AND EXPENSES

For the upkeep and operations of the National Gallery of Art, the protection and care of the works of art therein, and administrative expenses incident thereto, as authorized by the Act of March 24, 1937 (50 Stat. 51), as amended by the public resolution of April 13, 1939 (Public Resolution 9, Seventy-sixth Congress), including services as authorized by 5 U.S.C. 3109; payment in advance when authorized by the treasurer of the Gallery for membership in library, museum, and art associations or societies whose publications or services are available to members only, or to members at a price lower than to the general public; purchase, repair, and cleaning of uniforms for guards, and uniforms, or allowances therefor, for other employees as authorized by law (5 U.S.C. 5901-5902); purchase or rental of devices and services for protecting buildings and contents thereof, and maintenance, alteration, improvement, and repair of buildings, approaches, and grounds; and purchase of services for restoration and repair of works of art for the National Gallery of Art by contracts made, without advertising, with individuals, firms, or organizations at such rates or prices and under such terms and conditions as the Gallery may deem proper, \$51,315,000, of which not to exceed \$3,026,000 for the special exhibition program shall remain available until expended.

REPAIR, RESTORATION AND RENOVATION OF
BUILDINGS

For necessary expenses of repair, restoration and renovation of buildings, grounds and facilities owned or occupied by the National Gallery of Art, by contract or otherwise, as authorized \$5,500,000, to remain available until expended: *Provided*, That contracts awarded for environmental systems, protection systems, and exterior repair or renovation of buildings of the National Gallery of Art may be negotiated with selected contractors and awarded on the basis of contractor qualifications as well as price.

JOHN F. KENNEDY CENTER FOR THE
PERFORMING ARTS

OPERATIONS AND MAINTENANCE

For necessary expenses for the operation, maintenance and security of the John F. Kennedy Center for the Performing Arts, \$9,800,000.

CONSTRUCTION

For necessary expenses of capital repair and rehabilitation of the existing features of

the building and site of the John F. Kennedy Center for the Performing Arts, \$8,983,000, to remain available until expended.

WOODROW WILSON INTERNATIONAL CENTER FOR
SCHOLARS

SALARIES AND EXPENSES

For expenses necessary in carrying out the provisions of the Woodrow Wilson Memorial Act of 1968 (82 Stat. 1356) including hire of passenger vehicles and services as authorized by 5 U.S.C. 3109, \$6,152,000.

NATIONAL FOUNDATION ON THE ARTS AND THE
HUMANITIES

NATIONAL ENDOWMENT FOR THE ARTS

GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and Humanities Act of 1965, as amended, \$82,259,000 subject to passage by the House of Representatives of a bill authorizing such appropriation shall be available to the National Endowment for the Arts for the support of projects and productions in the arts through assistance to groups and individuals pursuant to section 5(c) of the Act, and for administering the functions of the Act, to remain available until September 30, 1997.

MATCHING GRANTS

To carry out the provisions of section 10(a)(2) of the National Foundation on the Arts and the Humanities Act of 1965, as amended, \$17,235,000 subject to passage by the House of Representatives of a bill authorizing such appropriation, to remain available until September 30, 1997, to the National Endowment for the Arts, of which \$7,500,000 shall be available for purposes of section 5(p)(1): *Provided*, That this appropriation shall be available for obligation only in such amounts as may be equal to the total amounts of gifts, bequests, and devises of money, and other property accepted by the Chairman or by grantees of the Endowment under the provisions of section 10(a)(2), subsections 11(a)(2)(A) and 11(a)(3)(A) during the current and preceding fiscal years for which equal amounts have not previously been appropriated.

NATIONAL ENDOWMENT FOR THE HUMANITIES

GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, as amended, \$82,469,000 shall be available to the National Endowment for the Humanities for support of activities in the humanities, pursuant to section 7(c) of the Act, and for administering the functions of the Act, to remain available until September 30, 1997.

MATCHING GRANTS

To carry out the provisions of section 10(a)(2) of the National Foundation on the Arts and the Humanities Act of 1965, as amended, \$17,025,000, to remain available until September 30, 1997, of which \$9,180,000 shall be available to the National Endowment for the Humanities for the purposes of section 7(h): *Provided*, That this appropriation shall be available for obligation only in such amounts as may be equal to the total amounts of gifts, bequests, and devises of money, and other property accepted by the Chairman or by grantees of the Endowment under the provisions of subsections 11(a)(2)(B) and 11(a)(3)(B) during the current and preceding fiscal years for which equal amounts have not previously been appropriated.

INSTITUTE OF MUSEUM SERVICES

GRANTS AND ADMINISTRATION

For carrying out title II of the Arts, Humanities, and Cultural Affairs Act of 1976, as amended, \$21,000,000, to remain available until September 30, 1997.

ADMINISTRATIVE PROVISIONS

None of the funds appropriated to the National Foundation on the Arts and the Humanities may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913: *Provided*, That none of the funds appropriated to the National Foundation on the Arts and the Humanities may be used for official reception and representation expenses.

COMMISSION OF FINE ARTS
SALARIES AND EXPENSES

For expenses made necessary by the Act establishing a Commission of Fine Arts (40 U.S.C. 104), \$834,000.

NATIONAL CAPITAL ARTS AND CULTURAL
AFFAIRS

For necessary expenses as authorized by Public Law 99-190 (99 Stat. 1261; 20 U.S.C. 956(a)), as amended, \$6,000,000.

ADVISORY COUNCIL ON HISTORIC
PRESERVATION

SALARIES AND EXPENSES

For expenses necessary for the orderly closure of the Advisory Council on Historic Preservation, \$1,000,000: *Provided*, That none of these funds shall be available for the compensation of Executive Level V or higher positions.

NATIONAL CAPITAL PLANNING COMMISSION
SALARIES AND EXPENSES

For necessary expenses, as authorized by the National Capital Planning Act of 1952 (40 U.S.C. 71-71i), including services as authorized by 5 U.S.C. 3109, \$5,090,000: *Provided*, That all appointed members will be compensated at a rate not to exceed the rate for Executive Schedule Level IV.

FRANKLIN DELANO ROOSEVELT MEMORIAL
COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Franklin Delano Roosevelt Memorial Commission, established by the Act of August 11, 1955 (69 Stat. 694), as amended by Public Law 92-332 (86 Stat. 401), \$48,000, to remain available until September 30, 1997.

PENNSYLVANIA AVENUE DEVELOPMENT
CORPORATION

SALARIES AND EXPENSES

For necessary expenses for the orderly closure of the Pennsylvania Avenue Development Corporation, \$2,000,000.

UNITED STATES HOLOCAUST MEMORIAL
COUNCIL

HOLOCAUST MEMORIAL COUNCIL

For expenses of the Holocaust Memorial Council, as authorized by Public Law 96-388, as amended, \$28,707,000; of which \$1,575,000 for the Museum's repair and rehabilitation program and \$1,264,000 for the Museum's exhibition program shall remain available until expended.

Mr. REGULA. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. FOX of Pennsylvania) having assumed the chair, Mr. BURTON of Indiana, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 1977), making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1996, and for other purposes, had come to no resolution thereon.

RECOMMENDATIONS OF THE DE-
FENSE BASE CLOSURE AND RE-
ALIGNMENT COMMISSION—MES-
SAGE FROM THE PRESIDENT OF
THE UNITED STATES (H. Doc. 104-
96)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on National Security and ordered to be printed.

To the Congress of the United States:

I transmit herewith the report containing the recommendations of the Defense Base Closure and Realignment Commission (BRAC) pursuant to section 2903 of Public Law 101-510, 104 Stat. 1810, as amended.

I hereby certify that I approve all the recommendations contained in the Commission's report.

In a July 8, 1995, letter to Deputy Secretary of Defense White (attached), Chairman Dixon confirmed that the Commission's recommendations permit the Department of Defense to privatize the work loads of the McClellan and Kelly facilities in place or elsewhere in their respective communities. The ability of the Defense Department to do this mitigates the economic impact on those communities, while helping the Air Force avoid the disruption in readiness that would result from relocation, as well as preserve the important defense work forces there.

As I transmit this report to the Congress, I want to emphasize that the Commission's agreement that the Secretary enjoys full authority and discretion to transfer work load from these two installations to the private sector, in place, locally or otherwise, is an integral part of the report. Should the Congress approve this package but then subsequently take action in other legislation to restrict privatization options at McClellan or Kelly, I would regard that action as a breach of Public Law 101-510 in the same manner as if the Congress were to attempt to reverse by legislation any other material direction of this or any other BRAC.

WILLIAM J. CLINTON.

THE WHITE HOUSE, July 13, 1995.

REPORT ON RESOLUTION PROVID-
ING FOR FURTHER CONSIDER-
ATION OF H.R. 1977, DEPART-
MENT OF THE INTERIOR AND
RELATED AGENCIES APPROPRIA-
TIONS ACT, 1996

Mr. SOLOMON, from the Committee on Rules, submitted a privileged report (Rept. No. 104-186) on the resolution (H. Res. 189) providing for the further consideration of the bill (H.R. 1977), making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1996, and for other purposes, which was referred to the House Calendar and ordered to be printed.

ADJOURNMENT TO MONDAY, JULY
17, 1995

Mr. SOLOMON. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10:30 a.m. on Monday next for morning hour debates.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

□ 2350

DISPENSING WITH CALENDAR
WEDNESDAY BUSINESS ON
WEDNESDAY NEXT

Mr. SOLOMON. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

The SPEAKER pro tempore (Mr. FOX of Pennsylvania). Is there objection to the request of the gentleman from New York?

There was no objection.

AUTHORIZING THE SPEAKER TO
DECLARE A RECESS ON WEDNES-
DAY, JULY 26, 1995, FOR THE
PURPOSE OF RECEIVING IN
JOINT MEETING HIS EXCEL-
LENCY KIM YONG-SAM, PRESI-
DENT OF THE REPUBLIC OF
KOREA

Mr. SOLOMON. Mr. Speaker, I ask unanimous consent that it may be in order at any time on Wednesday, July 26, 1995, for the Speaker to declare a recess, subject to the call of the Chair, for the purpose of receiving in joint meeting his excellency Kim Yong-Sam, President of the Republic of Korea.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. DIAZ-BALART] is recognized for 5 minutes.

[Mr. DIAZ-BALART addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

IN OPPOSITION TO FRENCH NU-
CLEAR TESTING IN THE SOUTH
PACIFIC.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from American Samoa [Mr. FALEOMAVAEGA] is recognized for 5 minutes.

Mr. FALEOMAVAEGA. Mr. Speaker, I rise again to protest France's intent